

THE
SPIRIT OF POPERY
DISPLAYED;

O R,

THE DOCTRINE AND DISCIPLINE
OF THE PAPAL CHURCH,

On the following several Heads of

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|------------------------------|-----------------------|
| I. UNITY OF DOCTRINE, | V. ROBBERY, STEALING, |
| II. BLASPHEMY, | &c. |
| III. PERJURY, FALSE WIT- | VI. MURDER, |
| NESSING, EQUIVOCATION, | VII. PARRICIDE, &c. |
| AND MENTAL | VIII. TREASON AND RE- |
| RESERVATION, | GICIDE, |
| IV. IDOLATRY AND IRRE- | IX. PROBABILITY, |
| LIGION, | X. UNCLEANNES, &c. |
| XI. PREVARICATION OF JUDGES, | |

L A I D O P E N A N D E X P L A I N E D,

In the very Words of their Most Celebrated DOCTORS
and CASUISTS.

WITH A PREFACE ON THE QUESTION,

Is Faith to be kept with HERETICS?

INSCRIBED TO THE

RESPECTABLE ASSOCIATIONS IN BRITAIN,
NOW UNITED FOR THE SUPPORT OF
THE PROTESTANT RELIGION,

BY THEIR AFFECTIONATE BROTHER,

THE EDITOR.

Out of thine own mouth will I judge thee thou wicked servant,
LUKE xix. 22.

L O N D O N:

PRINTED FOR J. MACGOWAN, NO. 27, PATER-
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203

REPORT OF THE

COMMISSIONERS OF THE

LAND OFFICE

FOR THE YEAR 1880

IN RESPONSE TO A RESOLUTION

PASSED BY THE HOUSE OF REPRESENTATIVES

ON FEBRUARY 2, 1879

AND A RESOLUTION

PASSED BY THE SENATE

ON MARCH 1, 1879

WITH A MESSAGE FROM THE PRESIDENT

TRANSMITTING A REPORT

OF THE COMMISSIONERS OF THE

LAND OFFICE

FOR THE YEAR 1880

TO THE HOUSE OF REPRESENTATIVES

AND TO THE SENATE

OF THE UNITED STATES

OF AMERICA

WASHINGTON

1881

PRINTED BY THE GOVERNMENT

PRINTING OFFICE

UNDER THE SUPERVISION

OF THE COMMISSIONERS

OF THE LAND OFFICE

OF THE UNITED STATES

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THE
P R E F A C E,
BY A
REVEREND MINISTER
OF THE
G O S P E L
IN THE
CHURCH of S C O T L A N D.

THE translator and editor of the following sheets, being with many other protestants, roused to attention, by the late repeal of the acts of parliament against popery, in England and Ireland, and the public declaration of the like intention with regard to Scotland, was naturally led to a review of that important question concerning popery. The effect of inquiry was not only a confirmation in his own profession of the protestant religion, but a greater abhorrence of popery, as a deep conspiracy against true religion, the liberty, and the dearest interests of men; and of consequence a sense of danger, from the least approach, by the reviving, and giving countenance to that superstition amongst us. And as

it was his good fortune to have days of leisure, he became very willing to employ some of them in adding his mite, in order to expose the abominations of that grand delusion, by which so great a part of the world called Christians, have been led into the most fatal errors and ruin.

Revolving in his mind on what part of the wide subject of popery he might, with the best hope of success employ his pen, to shew the horrors of this destructive system, he considered that there was not any article of controversy between papists and protestants, that had not received a thorough investigation and discussion, and on which the last had not triumphed in some capital treatises wrote at the time of the reformation, when the light of truth arose and dispelled the gross darkness, which before that glorious period covered the Christian world; or at the dangerous period, immediately before the revolution and since, to which no answers of importance or name have been made, and to which it is not easy to add any thing new, so as at least to form a treatise, either in point of literature or force of argument. These only want to be read by candid minds, in order to create utter contempt and abhorrence to the delusions of popery, and a love to the truth as found in the oracles of God themselves, the only foundation of the faith and hope of men for their final and eternal redemption.

These indeed, the emissaries of Rome, make it their chief care, to hide from those, whom they unhappily entangle in their snares, by enjoining them not to read such treatises, nor the scriptures themselves, excepting in their false translations, and under their interpretations, thereby making
void

P R E F A C E.

v

void the great commandment of our Lord, indefinitely given to all to search them, as all without distinction were permitted to hear him, and his apostles declare the truth, that thus they may prevent the true light from shining upon them, and become the easier and surer prey, to their own fair and delusive speeches, while they lye in wait to deceive.

In this situation it occurred, that if any thing was calculated to startle the entangled in their endless subtilties, or put to silence these teachers of corrupt minds, it must be, the exhibition of such monstrous principles, adopted by one of the most numerous, able, and favoured orders belonging to the church of Rome, and may a good providence bring it into the hands of many, to convince them of the abominations they are in danger of.

The book from which these sheets is extracted, is of the most authentic kind, being that exhibited to the parliament of Paris, and on the faith of which the order of the Jesuits was condemned by a solemn sentence, anno 1761, and these are a few citations selected from a multitude of like wicked principles, contained in a large volume, which was the foundation of the sentence of the parliament of Paris, expelling the whole society from France, in 1762. The other parliaments of that kingdom about the same time concurring to proscribè them by simular sentences, as other nations did also. Hear, as one example, upon what grounds the parliament of Rowen passed their arrest against them — “ That, say they, the king shall be most humbly entreated at all times, and upon every occasion to consider, that the laws, the
most

most fixed maxims of public policy, the interest of religion itself, do not permit any toleration, not even a provisional one, of an institute, abusive in itself, of vows, as null, and as abusive as the consultations, which are the object and rule of them, and which have been declared to be such in due form of law.—That there are no possible means of reforming a society, which is irreformable in its very essence, which reckons in the number of the strange privileges set forth in its constitution, that of being independant in the mode of its existence, and of having the power to restore itself, by its own authority, to its first state, whatsoever revocation or reformation might intervene, on the part of any power whatsoever, spiritual, or temporal.—A society which acknowledges no authority, to which by its own institute and vows, that of its own general is not superior.—That there is no faith to be given to promises, which they have the art to elude by equivocations, and mental reservations, made use of even against the oath which they have taken. Which knows no doctrine but its own, which prides itself upon the invariable uniformity of its sentiments, which for two hundred years past has been in possession of substituting probability for truth, of excusing immoralities, perjuries, profanations, irreligion, idolatry, and all other kinds of crimes, and of proving them innocent, either by the absurd system of philosophic sin, or by supposing an invincible ignorance of the law of nature, which God hath ingraven on our hearts, or by authorising men to form such a conscience to themselves, as the society looks upon to be equally safe and commodious.—That there

is no motive, no consideration, that can ever favour the re-establishment of a society, where homicide of all kinds, and the murder of kings is taught and tolerated upon principle, &c. &c.

The editor, however, is aware of an objection which priests of other orders may make against the effect of this representation of the Jesuits, that let their enormities be what they may, they are not to militate against the church of Rome, as now they are not only disavowed by many nations of the Romish faith, but abolished at Rome itself. But replies may be to this in the following manner:

First, This publication may answer a good purpose, by exposing to the world such prodigious wickedness, taught and practised by a society so numerous, whose members from the beginning have been confessedly of such eminent abilities, and taking upon them as a distinction, and acting under the name of him, whose very design in coming into the world, was to destroy those impieties they have supported and promoted in the world. Let this humiliating fact teach all, not to glory in man, nor in their parts or attainments whatever they may be. Where is the wise? where is the scribe? and where the disputer of this world? is it not in this instance too well proved, that the wisdom of this world is foolishness before God, and that without his direction, men will not only err, but pervert the good ways of the Lord. And how truly doth it shew the weakness and vanity of that argument, pleaded by so many (ignorant of the world, and of the deceits of man and of his heart) for establishing the propriety of removing every restraint, our laws

laws have in their own defence against people of such principles, as are here brought to view ; that truth itself and its force is sufficient to guard against every danger from falsehood. So may they argue because justice is amenable, therefore there need be no statutes with sanctions against theft or robbery. No man hath higher notions, what the beauty and force of truth ought to produce among reasonable creatures, and knows that it alone is fitted to fill the mind with true conviction of religious truth, that can prove effectual to salvation, its great object among men, and far be the remotest thought of propagating this great purpose by force, or by any method foreign to its own energy. It is in the genuine spirit of Protestantism that the zeal is so fervent to guard against the inroads of Popery, whose whole tendency is to remove truth from its own proper basis, its own native evidence and the testimony of God himself ; and to place it upon the pretended infallibility of man, and enforced by violence upon us. The never failing attendant of Popery, wherever it is admitted to power that this publication is made. *Secure this effectually* ; and the controversy with respect to the fullest toleration is at an end. But as fatal experience hath uniformly, and too truly demonstrated, that without legal restraints there is no such thing as binding Romish Priests and Jesuits, from subtilty and violence, in propagating their faith, it becomes necessary for our own safety as Protestants, to preserve the guards and fences, the prudence of our fathers hath formed for our preservation against them.

In

In particular it cannot escape observation, that tho' it is true, that the weight of different Popish kingdoms on account of the treasons and enormous crimes of Jesuits, have, for the time procur'd their abolition as a society, by the Roman Pontiff, yet who retaining common judgement, can estimate this at much more, than a nominal and temporary affair, who can doubt but they have many powerful friends, and much influence, within the pale of the church of Rome still, which as under former proscriptions, may restore this order to its former splendor, and even to its name.

The present abolition as is well known, was undoubtedly a matter of force upon many Roman Catholics, even in the nations where it took effect. The question was long and warmly agitated at Rome, and the solicitations of great sovereigns were a great while avoided and resisted. And tho' a Pope was at last found, who yielded to the instances of the different kings, whom they had made their enemies: yet their former great merit in supporting the see of Rome, more than any other order in that church, cannot soon be forgotten, and in the vicissitude which attends human affairs, councils concerning them may alter, and the present frown may change into a smile.

Besides, have they not still countenance and favour as a standing order in Germany and other popish countries and states, where the orders of Rome are not yet obtemperated? nor do we hear of any umbrage taken at Rome for this disobedience and indignity to the affected orders of the head of the church, who assumes the title to be sovereign over all kingdoms in spiritual matters.

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But

But farther: of how little effect is this abolition to a society, which as above cited, " Holds itself independent in its mode of existence, and of having power to restore itself by its own authority, to its first state, whatsoever revocation may intervene on the part of any power whatsoever, spiritual or temporal.—A society which acknowledges no authority, to which by its own institute and vows, its general is not superior."—Let this pretension be settled which regard to consistency as it may, with the supremacy and infallibility of the papacy at home. It tells all the world that Jesuitism hath not, nor will ever give up its claim of existence and stability, and accordingly to this day, notwithstanding the late abolition, it still acts openly and with vigour in every place where outward force doth not restrain it. And upon this ground the exposing their genuine tenets can never be out of date, while this society lives to deceive the world by their horrid principles and ways.—The blind obedience they require, without any exception to their doctrines, their blasphemies, idolatry, immoralities against all the holy commandments of God, perjury, false witnessing by equivocation, and mental reservation, uncleanness, fraud, explaining, &c.

In particular, disclosing the mysteries of this baleful society in Great Britain is the more proper at this time, as the Legislature in the late act of further indulgence to Papists have made the Jesuits sharers of the privileges, granted to other orders of the Roman church.—It is true, that Britain as a Protestant state, is under no obligation to conform herself to the decisions of the Pope; yet to many, it hath appeared not a little

extraordinary, that after the Jesuits had been cast out by so many Catholic powers, on account of principles acknowledged to be dangerous to human society, as well as impious towards God, and after so many alarming conspiracies, and unhal- lowed actions, whereof we ourselves have had our share, we should still acknowledge and cherish them. Doth not this proclaim their existence still? and as without question, this favour from us, was very agreeable to them, and granted by their influence, no doubt can remain of their intention, tenaciously to hold fast their order, notwithstanding all that lately hath been done at Rome against them, not without hope of being in a more favourable period, restored to their former splendor and influence. They are not so slenderly attached to their order, nor so easily pulled up by the roots, as finally to despair by this blow that has been given them. The professed devotion to the will of the Pope in all other instances, ought in clear consistency with their declared principle, to submit to their annihilation. But this is far enough from their thoughts. They have distinctions enough at hand to set aside any principle, however obvious from activity, when found not to answer their purpose, as in the present instance.

Besides this publication, in another view may be of utility. In regard, that tho' from the jealousy of the several orders in the Romish church, there is no small animosity one against another, and in particular against the Jesuits, who on that account rejoice in their downfall. Although the others are not chargeable with

some particular enormities, embraced and practised by them, and have made them odious even to other Roman Catholics themselves, yet the conclusion were not just, *That therefore in general they do not hold principles that are inimical, and are not led to practices destructive to the peace and security of other men.*

The present opposition, to more indulgence being granted to Papists, is not on account of their mere absurdities. They who know and love the oracles of God, no doubt ardently desire that all men should come to the knowledge and acknowledgment of it for their salvation; and cannot but regret the gross errors, and perversions of that truth that abound among men, who are called by the name of Jesus. Yet does not their principles, as founded upon the scriptures, lead, or permit them by force to compel others, to profess the truth as they do, or to forbid them by violence to turn from their errors. They believe, as to life or liberty, that it is their duty to bear with those to whom God exerciseth long-suffering. They are taught, that the servants of the Lord must not strive, but be gentle unto all men, apt to teach, patient, in meekness instructing those that oppose themselves, if God, peradventure, will give them repentance to the acknowledging of the truth. In particular, therefore, it is not because Papists believe in transubstantiation, or in twenty other points equally without all foundation, from the scripture, absurd and contradictory to common sense and reason, as much so as if they believed a pebble to be a mountain that this jealousy is raised in Protestants against them; but solely as against a people diverse from all other people in the

the earth. In this particular, that they have assumed a principle not peculiar to Jesuits, but which, as a leaven, hath pervaded the whole church. That, for the propagation of their tenets, FAITH IS NOT TO BE KEPT WITH HERETICS, as all Protestants are called; and that, when it shall better answer the great end of propagating their faith, freedom is to be used with every obligation they may have come under for their security.

This is the hinge upon which the concern of Protestants turns, to restrain them by penal laws, from doing ourselves harm. It must be acknowledged, that no system was ever so contrived to lead men to this extraordinary principle, so destructive to the foundations of all society, to the peace and security of mankind, and to expose them to the rage of persecution, as that of the principles of Popery. When we reflect, that thereby men are taught, that there is no salvation out of their church; that the Pope hath a power to forgive all iniquity, and to indulge to any sin; to dispense with every obligation: That to propagate their faith by every mean, is meritorious. It cannot surprise, that other principles, even those of humanity and common faith, which among other men is reckoned sacred, should be weakened, and rendered of little or no effect, when the interests of their church comes in question, upon which to them so much depends. Add to this, the wonderful policy of establishing the celibacy of the clergy; an institution, the effect of which is to unhinge every other connection, and to make all run into the object of aggrandizing the power of the church, and the prosperity of the

the particular order to which they attach themselves. From whence they cease not to inspire those under their care, with the like violence and zeal for promoting the same interest, which occasions many temptations, to make light of obligations to truth. Be it far from us to assert, that there are no individuals of the Popish persuasion, that are not naturally possessed of many virtues, which render them amiable, fill them with a sense of honour, dispose them to acts of truth and mercy, and every way to fulfil the obligations of society as well as others. But when such principles as the above are infused into the mind, and by a set of men so revered, and upon whom, according to their notion, so much depends; is it any wonder that they should become over-zealous for the propagating their faith, to the dissolving of obligations which otherways would bind them?

It is in vain for the advocates for Popery to affirm, that the not keeping of faith with heretics, is not an article embraced by the whole church of Rome, seeing the Council of Constance, in the year 1415, relative to John Huls, hath solemnly decreed as follows:

Decl. 32. The following decree is of greater importance, because the Council therein explains itself upon the validity of the safe conduct granted to heretics by temporal princes, in these terms: "The present synod declares, "that
 " every safe conduct granted by the Emperor,
 " Kings, and other temporal Princes, to heretics,
 " or persons accused of heresy, in hopes of reclaiming them, ought not to be of any prejudice to the catholic faith, or to the ecclesiastical
 " jurisdiction, nor to hinder, but such persons
 " may

“ may, and ought to be examined, judged and
“ punished, according as justice shall require,
“ if those heretics refuse to revoke their errors,
“ even though they should be arrived at the place
“ where they are to be judged only upon the faith
“ of the safe conduct, without which they would
“ not have come thither. And the person who
“ shall have promised them security, shall not, in
“ this case, be obliged to keep his promise, by
“ whatsoever tie he may be engaged, because he
“ has done all that is in his power to do.” To
this decree it is necessary to add another, which
relates to the safe conduct of John Hufs in
particular. This decree, which is not in the
printed acts, is to be seen in MS. in the Vienna
library: It runs thus, word for word.

“ Whereas there are certain persons, either
“ ill-disposed, or, over-wise beyond what they
“ ought to be, who in secret and in public, tra-
“ duce not only the Emperor, but the sacred
“ Council; saying, or insinuating, that the safe
“ conduct granted to John Hufs, an arch heretic,
“ of damnable memory, was basely violated,
“ contrary to all the rules of honour and Justice;
“ though the said John Hufs, by obstinately at-
“ tacking the catholic faith, in the manner he
“ did, rendered himself unworthy of any man-
“ ner of safe conduct and privilege (1); and
“ *though according to the natural, divine, and hu-*
“ *man laws, no promise ought to have been kept with*
“ *him, to the prejudice of the catholic faith:* The
“ sacred synod declares, by these presents, that
“ the said Emperor did, with regard to John
“ Hufs, what he might and ought to have done,
“ notwithstanding his safe conduct; and forbids
“ all

“ all the faithful in general, and every one of
“ them in particular, of what dignity, degree,
“ preheminance, condition, state or sex they may
“ be, to speak evil in any manner, either of the
“ Council, or of the King, as to what passed
“ with regard to John Hufs, on pain of being
“ punished, without remission, as favourers of
“ heresy, and persons guilty of high treason.”

Add to this the Council of Trent, which not only confirms the decrees of former general Councils, and consequently those of Constance, but determines that faith is not to be kept with even people of their own persuasion. In Sess. viii. Can. 6. it is decreed, “ That if a man hath promised a woman to marry her, and is betrothed to her, and hath sworn it; yet if he will, before consummation, enter into a monastery, his oath shall not bind him, his promise is null; but his second promise, that shall stand. He that denies this, let him be accursed.” Is there not here a solemn obligation to man? Is it not under an anathema declared to be made void, when the cause of religion and the church requireth it? Not only then, by this infallible decision of Trent, it is indisputable that the distinction which would now be made between the obligation of vows to God and to men is vain; but if this decision of the Council is declarative of the principles of the Roman church, it must follow upon the same ground, that *a fortiore*, it is right to break through other obligations to carry on her public concerns, by laying hold of favourable occasions, of extending the faith, notwithstanding of promises to heretics; the rather that the same Council hath established, that the Pope hath a
right

right to explain every thing that may come in question concerning the decrees of this Council; and of consequence, his future definitions are to be considered as equally infallible with the decrees of the Council themselves, and we shall just now see, what the Popes have determined upon this interesting point, and how men under their influence have acted, according to their decisions, confirming this charge against them.

Facts are undoubtedly the surest explanations of the sentiments of mankind; and in this material article, "the keeping faith with heretics," upon which the interests of men, who have transactions with Roman Catholics, so much depend, what, after the acts of their councils, have their Popes determined? It is the right of Protestants, and they demand instances of any favour or privilege or toleration, however solemnly granted them, that have continued with them in force, when the policy of Papists in wisdom permitted, or their power enabled them to break through them, to the destruction of the unhappy people who were stedfast in their faith, in opposition to their superstition.

It is but recollecting the various kingdoms where professors of other systems have existed, and Roman Catholics were strongest, to shew that no obligations have bound them from breaking their engagements, and to persecute them by cruades, dragoonings, and massacres, to a degree of cruelty that the ancient persecutions of heathens cannot equal.

Through what solemn engagements to preserve the Moors, did Spain break in their banishment, though to the irreparable loss of that country, on-

ly surpassed by their more outrageous destruction of the harmless Indians, under the pretence of propagating their faith. The Crusades against the Vaudois, for the same cause, afford a like long and bloody tale. How often have the vallies of Piedmont had reasons to complain of the inhumanity, and breach of many engagements from the Princes of Savoy; on their severe persecution of them? To give a minute detail of the like perfidy and violence against men of other persuasions than that of Popery, by the sons of Rome, in Germany, Hungary, Bohemia, Transylvania, and the Palatinate, were at once too doleful and endless. What the Protestants in France have endured, is known to all the world, after edicts often declared to be irrevokable. Nothing could be devised stronger, than the securities established in Poland, in favour of the dissidents there, (who, in 1572, were nearly equal in numbers to the Papists) but instigated by the restless spirit of Popery, for propagation of their faith, and destruction of those who oppose it, their Princes and Diets ceased not, from time to time, to spoil them of most of them, until foreign powers of late interposed, to re-establish what fraud and violence had not destroyed. Could the most solemn engagements bind our Maries in Scotland? or these, and gratitude, secure her of England from persecution; or the most explicit assurances to Parliament? or the coronation oath in England, (for the Scotch oath he never took), bind our late King James, who yet piqued himself on his word, which he boasted of as having never been broken, to maintain the Protestant religion established by law, or from invading our most valuable privileges,

ledges, sacred and civil, in order to advance his favourite religion? But bigotry, the constant attendant on devotion to the church of Rome, bursts through every bond; nor can temper, the principles of honour and truth, sacred in other parts of conduct in the same men, restrain here. In this concern the whole frame of mind is altered; so that, as Dr. Geddes, in his Tracts, observes, That the Portuguese, naturally so tender hearted and humane, that floods of tears run down from their eyes when they are spectators of an ordinary execution; yet in Portugal, the Court of Inquisition remains a terror, even to those of highest rank. *Autos de Fe* have not ceased; and many a zealous Catholic thinks it meritorious, if, in the darkness of the night, he can assassinate a Northern Heretic. Indeed such principles as, no salvation out of their church, the merit of extirpating heresy, and of propagating their religion; the power of absolution from all sins, and the infallibility in their church, which are embraced by every Roman Catholic, have generally been found too strong for any balance in the human heart against them, to withstand the effects naturally flowing from them, and more than sufficient to outweigh considerations from humanity, from private or public outward weal, and to excite a disposition to break through many engagements that otherwise would bind, and that, in other cases, are the securities of mankind, for privileges and rights acquired.

We now hear, indeed, that things are altered with regard to the conduct of Roman Catholics: That this is an age of liberality of sentiment; and that it hath obtained among Papists, many of

whom are not disposed to persecute as formerly, but to propagate their religion by argument, by a religious conduct becoming their profession, and by prayer. So far then is gained, that hereby an acknowledgement is made, that the temper and conduct charged was formerly practised by them; and that it is giving the lie to all history, even the most authentic, to deny it: A strenuous advocate, that from among ourselves hath arisen for them, admits such things. But is not so acute a writer sensible, that in asserting this, he is establishing what a genuine Romanist must give him little thanks for, as such a change of opinion, if allowed of by him, would be a fatal blow to the foundation of all his faith, and boasting its infallibility, with which this changeableness of system is perfectly inconsistent, as to its being at all times unalterably the same, and true?

If insidious priests, or others of the Romish persuasion, affect to hold this language of alteration in their sentiments from the Doctors, Popes, and councils in former days, it is easy to find the reason why in this country it should be so, where, having been long at under, they are led to speak in a way suitable to their situation, and where they know talking or acting otherwise might be dangerous. At most, if, for the present time, they are so disposed to think, this is nothing to the real tenets of the church of Rome, which are not determined, (an evasion they often, as occasion serves, make use of) by private opinions of Doctors, or other men, but by councils, or Popes explaining councils.

Now, where are these new councils to be found, disannulling the old acts of former ones, and of
Popes

Popes declaring that faith is to be kept by any Papists, or obligations preserved inviolate, when the interests of their church, by breaking them, would be advanced, and the cause of Heresy weakened and destroyed? He would be weak, indeed, who would give credit to private men attached to a society for its principles, in direct opposition to what that society itself had infallibly declared was otherwise. Let a general Council be called, and there let an explicit declaration be made, renouncing these principles which are in question, concerning keeping faith with Heretics in matters of religion, and against persecution for conscience sake; or let national councils in France, Spain, and other Catholic countries, declaring these things, and, in consequence, let men of other persuasions have liberty to worship God according to their consciences, and then if right, the plea for full indulgence to them also can be urged. But until these events take place, what Protestant in his senses can confide in assurances from either private men of the Roman Catholic faith, or in the pleadings of particular Protestants, that the church of Rome is become enlightened, or more liberal than formerly.

People, it is to be observed, generally form their ideas of men from the circle of their own acquaintances, and from the language they hear often repeated. We know that this way of speaking is much in use among people of a certain cast among us, who are not over attached to religion of any kind, and who find not a few, both at home and abroad, who, like themselves, have little regard to revelation, and look with contempt on the low mortals that give attendance to it.

it. But however comparatively numerous such enlightened people may be to what was formerly, they are wonderously mistaken who imagine, that this enlightening and liberality extends so far, as justly to characterise the age. Let any who please go into Popish countries, and they will find the great body of men, the middle and lower ranks, much where they were as to a spirit of tolerance and liberality of sentiment, and as ready to be the tools of priests as ever, in the old spirit of superstition, and hatred of Protestants, and their faith. France is foremost in fame for civilization; and the story of Calais is highly celebrated, as an evidence of the change of sentiment in that country, as to its new spirit of forbearance and liberality; but was not the Parliament of Toulouse, and the great body of the priests and people, violent in the most unjust prosecution, and the violence used against that innocent man? Did not they discover how prepared they were to be instruments of any oppression and hardship intollerance might dictate against Protestants? and though the Parliament of Paris did reverse their wicked sentence, was it not rightly to be considered as indignation against injustice in a criminal process, in which law was prostituted and abused to the condemnation of the innocent for murder, as much as from any zeal in the spirit of tolerance to Protestants, and which they might and ought to have done, if Calas had been a Catholic? But where does the enlightening and liberality of sentiment elsewhere shew itself to Protestants even in France? Is it in the royal edicts issued so late as the year 1745, enjoining the rigorous execution of former statutes against Protestants, or the harbourers of them?

or

or in the consequent executions of Messrs. Roger or Desubus, and other ministers who have suffered to death for their religion in that country? Hath the light and liberality of sentiment shewed itself in Germany, where so many Protestant churches have unjustly been shut up, though allowed by solemn treaties? or hath it appeared in Poland or Hungary, or any where on the Continent, where force did not produce the quiet of Protestants. Italy, Spain, or Portugal, and their vast dependencies, dare not be mentioned as having as yet drunk in any of this boasted liberality. Is the inquisition yet abolished in these wide dominions? or has Rome, under her new enlightening, shewn any indignation or relentings for the horrors transacted there. It surprizes not, when Romish priests (of whom we may say, as the apostle of the Creteans, that they are always liars when the occasion calls for it) misrepresent, and speak falsely for their cause; but it is perfectly shameful to hear men call themselves Protestants, plead upon this ground, of the growing mildness of Popery, for indulgence to them, while such abominations are retained by them. Infidels called Papists abroad may talk such language, or real Papists at home may affect it, as they are at under; but by all that hath hitherto appeared in the earth, put power into their hands, and mercy will depart from them.

The bishops in England indeed of late in the affairs of Canada and the Grenades, seem to have adopted these sentiments concerning Roman Catholics, in their positive declarations, in the question as to the establishment of Popery in the first of these countries, carrying it so far indeed, in
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the matter of the clergy's having a right to the tithes, that the Archbishop of Canterbury declared, as the public papers informed us, that if the priests did the work, they ought to have the wages. How this sentiment of his Grace would take, in its application to many places in Ireland, where it is known the priests of Rome do most of the work, I shall not say; but it is certain, that truth is the same, and ought to have like force in Ireland as in Canada; the rather that the capitulation carried the future liberty of the Papists in that country in the matter of religion, no farther than was consistent with the laws of Great Britain; and we have not yet understood, that that could be carried to an establishment, as now in Canada. But these were not always the sentiments of the dignified clergy of England; not surely before the year 1745. Among others that might be cited in their discourses at that period, let us hear the celebrated Dr. Secker, late Archbishop of Canterbury, who, in a sermon printed at that time, says, "That the most formal declarations that he (the Pretender) can make, have been over and over, and long since the revolution, declared by the authority of the See of Rome, utterly null and void from the beginning, whenever they are prejudicial in any manner, and the least degree (I use the words of Pope Clement XI. in the very case of stipulations made in favour of Protestants) to the Catholic faith, the salvation of souls, or to any rights of the church whatsoever, even though such engagements have been ratified and confirmed by oath*." He goes on; "Let, therefore,

* Clem. XI. Pont. Max. Epist. et Brev. Fol, Rom. 1724, Fo. 2. P. 179.

the Pretender make promises ever so full and expressive, let his natural dispositions to keep them be ever so favourable, yet, as he professes subjection of conscience to the Pope's determinations, under whose eye he hath so long resided, in whose dominions his son, who hath now invaded us, was born and educated, and by whose bounty they have been both all along supported, he cannot refuse to break any ties which shall be declared sinful by his infallible guide, who may purposely have connived at his engaging in them, in order to his breaking them at a proper time. But if he were to refuse it, can we imagine that all his successors too, will be so obstinately undutiful, as to spare a religion which they mortally hate, when they believe extirpating it will entitle them to heaven, and atone for all the sins of a wicked life? It must be acknowledged, Popery hath appeared milder of late, than in former ages. Yet our days have known the executions of Thorn, the banishment of Saltsburgh. Nor hath the church of Rome ever given up any one of her claims, which it may have forborn to exercise; and should it once regain so much of its antient power, as would necessarily follow from prevailing here, it would soon resume its antient fierceness in proportion.

“ Shall we persuade ourselves then, that fear will restrain a Popish Prince from attempting to overturn our religion and laws? But what if his greatest fear should be that of damnation for not attempting it, which was the known case of King James, and may be that of others after him.”

Such were the sentiments of Protestants, in the time of our last open danger from the attacks

tacks of Popery. " But it is said, there is a change to mildness ; we would rejoice exceedingly in the happy alteration. But who can observe it any where but in the increasing gentleness of Protestants to Papists, by no means of Papists to them. Not only in the more distant parts of the British dominions, is great favour shewn to them, and great indulgence in permitting vast numbers of Protestant youth of both sexes to go abroad for education in Popish seminaries, as is shewn by Dr. Blackburn * at full length, which heretofore would not have been allowed, but also by the late acts of legislature, taking off former restraints the law had imposed upon them. Yet after all this lenity and kindness upon our side, let us not be understood to be as simpletons, as if we would be induced to believe, that the yielding were on their side, when in fact it is only on ours. Have they as yet altered any of their opinions, or made any abatements in their principles, as standing in opposition to these of Protestants? Have they yet declared their faith, that any can be saved out of their church, or that it is not their indispensable duty by every probable method to propagate their faith? That there would not be great merit and reward in doing so? If there was hope of success, that persecution would not be lawful as their brethren abroad do upon all occasions to this day, when it is in the power of their hands towards Protestants? Or have they agreed that the Pope in his supreme power in spirituals, can-

* Vide Considerations on the present State of the Controversy between Protestants and Papists.

not absolve from all sins whatever, and so from any vow or engagement they may come under to Protestants, if ever it becomes the interest of their church, to break through? and that it is their duty to obey the Pope in all things under pain of damnation, or have any, what are their reserves? and upon what ground they make them? When, upon occasion of the Popish Gunpowder-plot, an oath of allegiance was thought necessary to prevent such horrid attempts in time to come; which a Roman Doctor, cited by Archbishop Usher under the character of B. P, Eſet AB. Ep. I R. Impr. 1609, taking notice of, laughed loud at the simplicity of it. His words, said the Archbishop, are worth remembering. Sed vide in tanta uolutia, quanta simplicitas, &c. But see what simplicity here is in so great a craft! When he had placed all his security in that oath, he thought he had framed such a manner of oath, with so many circumstances, which no man could any way dissolve with a safe conscience. But he could not see, that if the Pope should dissolve the oath, all the knots, whether of being faithful to the king, or of admitting no dispensation are accordingly dissolved. Yea, I will say a thing more admirable, you know I believe, that an unjust oath, if it be evidently known to be such, or openly declared such, it obligeth no man. That the king's oath is unjust, is sufficiently declared by the pastor of the church himself. You see now that the obligation of it is vanished into smoke; and that the bond which so many wise-men thought was made of iron, was less than straw." From these principles, who sees not what security can be got

from Roman Catholics by any obligations they may come under.

We are not ignorant of the accommodation they are capable of making of their infallible doctrine, as times and circumstances make it proper, to hide or disguise it. Without going to the East Indies find out what frauds and denials the most essential articles of Christianity Romish missionaries have been guilty of there; let their practises nearer home be recollected, when the rooting out the Protestant heresy in contradiction to the most solemn and repeated edicts of France, declared irrevocable was resolved upon. In the year 1671, the bishop of Meaux as a previous step, wrote his famous Exposition of the Doctrine of the Catholic Church, in order to make the several articles of the Romish faith more palatable to Protestants. This exposition softened, and gave a different complexion to many capital tenets of that religion, as defined by the council of Trent. It received the approbation of the then Pope, some Cardinals, and other eminent divines of the church of Rome. Here then was seemingly a new system of faith, distinguished from the former one by Papists, that of Trent, and that of the bishop of Maux. But when the end of this last as a decoy, was so answered, in as far as under the threatenings of dire persecution, it became an apology for Protestants, trembling for fear, to renounce their former faith, in order to escape the terrors which actually fell upon the more faithful, at the actual revocation of the edict of Nantz. Did the bishops exposition continue to be acknowledged as the true doctrine of the church? By no means! The Sorbonne

bonne and the great body of their ecclesiastics declared openly against it, and stuck to the obvious meaning of the articles of Trent *. Nor were the glosses of the bishop ever taught to the people but the contrary. And it is so to this day in all foreign Popish churches. But an end was gained at that time by this false appearance of the faith of Rome. Nor will a dissimulation be ever stuck at, in any period, to gain the like advantage, from which, when the purpose is answered, they will again revert to their old system: What other indeed can be expected from a church whose foundation stands upon infallibility. Can she in any consistency alter her articles of faith, or admit of the charge of so much weakness, as not to have defined them with sufficient perspicuity. Let not this be expected by Protestants, though her emissaries in order the better to succeed, in particular instances or seasons may dissemble, and have dissembled, as infallible, she must be the same for ever. And surely from the sample we have received lately from the bishop of Daules, who hath bustled so much among us in favour of his religion, we have no reason to alter our opinion, as to the confidence that ought to be placed in the integrity of Roman Catholics, as both in his controversies with Dr. A. Drumond, and in his gross misrepresentations of facts at London and to Parliament, he hath clearly forfeited every title to the character of an honest man. Shewing he can dissemble with the best of his sect—and

* Cardinal Bona and others who have given their approbation by, and published papers perfectly inconsistent with it, in different articles, as the Bishop himself did by his after conduct.

if a fair occasion were given, can persecute to death also. This is clear from his writings, and particularly from his defence of the Council of Constance. So true it is, that Popery will always be the same.

But still it is insisted upon, that Roman Catholics among us, are a very peaceable and loyal people, and as good members of society, government should give them every indulgence. We speak not, in all we have said against them, nor in this particular of every individual amongst them. Notwithstanding all their boasted unity, arising too from infallibility, however wonderful to tell, there are differences of opinion among them in points of faith, of the highest consequence, as there is in this article concerning government. We know that even in our civil wars in the last century, when all was at stake, and in the most critical moment, tho' all were for King Charles; yet as at all times, so then they were divided upon the terms, with respect to their acting for him. Some being for him, to the acknowledgement of his supremacy, while a great body of them were such adherents of the Pope as to refuse acting, unless the king would consent to hold the kingdom of him. But now, it is said, they are all loyal and ready to take the prescribed oath, which reprobates all foreign jurisdiction. I must beg leave to hesitate concerning the truth of this. We have experienced the fallaciousness of such hopes in parties, as little to be suspected as the Roman Catholics. In the end of Queen Ann's reign the episcopalians in Scotland had many friends, and all professed the highest regard to the
Queen,

Queen, pretending their clergy were upon a toleration ready to qualify to government. They prevailed, and many places of worship were opened, tho' in a body they continued Nonjurants still; and on occasions shewed their real principles in the truest light. Government inclining to favour any set of men, do not anxiously enquire after their disobedience to the acts of legislature requiring compliance. And if proper enquiry is made, time will discover how far, or otherwise our new boasted tests of loyalty are obtemperated by the priests of Rome and others amongst us, who by law are required to take them.

But whence can true prudence deduce this quietness and loyalty of Roman Catholics. Nothing can be more certain, than that ever since the Reformation they have been, one may say, in one continued plot to overturn it; the mode may have altered, but the object was never out of view. In long and sad detail, might the evidence for this be brought forth. But it is needless, because the fact cannot be denied. Upon all principles, and upon their own, this was to be expected: their hopes from the princes of the house of Stuart, who all panted for despotism, to which Popery is so favourable, were sanguine; and immediately before the Revolution, their effort was vigorous, and humanly speaking, only failed through their own imprudent haste to prevail, and the violence with which they drove on their designs. Since that period has there ever been a conspiracy for the restoration of the Popish family, that they have not been in the depths of? And how is it now that things are so altered from disaffection and treason to peace and loyalty. Truly it may be answered, if gratitude

titude can gain upon man, the favour which hath been long shewn them by our good government might be expected to produce that effect, as it may be required of them to say, under what Prince of their own persuasion, they could expect more tranquillity, advantages, or even favour and interest. When many Popish powers have cast off their Jesuits, even those we have received and to an extent of numbers, that is not a little alarming to thinking Protestants, do they abound among us. In what city or family of any consideration are there not some of their members, teachers or domesticks?

But it may be asserted, that it is not mere gratitude, or sense of favour that is the spring of this new loyalty. Their intelligence is very good concerning the Pretender to our throne of their own religion. Nor have they rested in common reports of his character and ways, and of the expectations that can ever arise of his succeeding, as their king. They know from many circumstances, that the long pleasing prospect is over. Much less degree of prudence therefore than they are possessed of, dictates, That our wisdom upon this failure is to submit to the present reigning Family and Government, and endeavour by softer methods, what more violent ones could not effectuate. Civil Government is but a secondary object to true Catholics; the advancement of their church and faith, so meritorious, is their first and great one. Much rather indeed would they be possessed of every species of power for promoting this great end, but when the civil power cannot formally be at present obtained, they cease not to promote

promote the other, if, happily, by encreasing strength according to the principles in the following sheets, they in due time break over every barrier and obligation, to overturn every other profession, and establish their own beloved faith. Let Protestants then be ever on their guard against their insidious arts, and tremble at every approach, by more indulgence to them to influence and power.

These hints thrown out upon a subject, which hath in all its branches been often at large demonstrated, and ready as occasion may call for it, to be supported against Roman Catholics, and to shew the great danger of allowing them more legal indulgence than they have formerly possessed. What hath been set forth may suffice in a preface. The more their true principle of not keeping faith with heretics, when their religion is in question, will appear fixed. In this point of view they are as no other people, surely not as Protestants, who hold vows and engagements to be binding to whomsoever they are made; and therefore no comparison can be justly instituted between the two professions with regard to their obtaining favour, under any government they may happen to live under, and whose system of religion is adverse to theirs.

Let what is established, then, in the following sheets, upon their own testimonies, as the real principles of the Jesuits swarming among us, and of other Catholics in particular adopting this their idea, that faith is not to be kept with heretics, when by breaking it their religion can be promoted, make all genuine Protestants afraid of the

consequences of cherishing such vipers in their bosom, and let what hath formerly happened, write it in indelible characters upon their minds, that there is no answering, if more favour is shewn them, what may befall our property. Let this become our motto with regard to them, *Nondum immemores.*

THE

T H E
S P I R I T of P O P E R Y, &c.

C H A P. I.
On U N I T Y.

Representation of the First Age of the Society of Jesus, described by the Flandro-German Province of that Society. Printed at Antwerp, by Balthazar Moret, successor of the Plautins, 1640. Published and printed by permission of John de Tollenare, Provincial of the Society of Jesus in German Flanders, in consequence of power received from Mutio Vitelleschi, General of that Order; after three divines of the same Society had examined and judged it worthy to be printed. Pref. p. 33.

“ **T**HE members of this Society are scattered over all the world, and dispersed through all the nations and kingdoms of the globe; a separation however only marked by the distance of places, and not of sentiments; the difference of language, and not of affections; the disparity of faces, not of manners. In this Society, the opinions of the Latin and the Greek, the Portuguese and the Brazilian, the Irish and the Sarmatian, the Spaniard and the French, the English and the Dutch, are the same: among such diversity of geniuses there is no debate, no contention; but so great harmony prevails among them, that one

B would

would think them all the same person. The place of their birth makes no difference, for they have all the same end in view, the same way of life, and the same vow firmly unites them together. One man alone, by a single nod, manages the whole Society, which is easily moved, but difficult to be thrown into confusion."

J A M E S G R E T S E R.

The Works of James Gretser of the Society of Jesus, revised and corrected by the author, Vol. II. A Defence of the Society of Jesus at Ratisbon, 1738. By permission granted Nov. 21, 1732, by Joseph Mayr, Provincial of the Society of Jesus in Upper Germany; in virtue of a power granted him by Francis Retz, General of the Order. Pref. Vol. II. p. 21.

"WE are not to judge of the doctrines of the Jesuits from a few transient and dark sentences, but from the strain of their books, a great number of which, thanks to God, are now extant."

Ib. Refut. cap. 1. p. 27. col. 2. let. E.

"From the writings of our divines, the reader may easily judge, if our doctrine be not agreeable to the doctrine of Jesus Christ."

Vol. II. Apol. B. 1. p. 957. col. 1. let. B. C.

"There are a great number of theological works extant, composed by the Doctors of the Society. We profess the same doctrine in a variety of places, in the public schools as well as in private. . . . If at any time we adopt a milder opinion, it is not without reason and the best authorities, which are equally valid in speculation and in practice."

DANIEL.

D A N I E L.

Collection of the different Works, Philosophical, Theological, Historical, &c. of the Rev. F. Daniel, of the Society of Jesus, Vol. II. At Paris, 1724.

Vol. II. Second Letter to R. F. Sherry, p. 389.

“ It is impossible to form a better judgment of the spirit of a body, especially such a one as that of the Jesuits, where the government is monarchical, than by attending to the laws of those who govern it, and the rules made by the General Assemblies, composed of the superiors and members of greatest consequence.”

Institutes of the Society of Jesus reduced to better order, enlarged, and reprinted by authority of the eighteenth General Assembly, at Prague, 1757. Vol. I.

General Exam. c. 3. n. 12. p. 344.

Of some questions which are put to those who wish to be members of the Society.

“ The candidate must be asked if, in case he had, or at any time might have scruples concerning spiritual or other matters, he would submit himself to the judgment, and acquiesce in the sentiments of other members of the Society, who are endued with more learning and goodness.”

Constitut. Part 3. c. 1. n. 18. p. 372.

“ They must not teach different doctrines, either in words, in public discourses or prelections, or in books, which cannot be published without the approbation and consent of the General of their Order, who commits them to the examination of

three men at least, of sound doctrine and clear judgment. In deciding any point, they must, as much as possible, avoid diversity of opinions, which ordinarily beget contentions, and is an enemy to the union of wills. On the contrary, they must with the greatest care cultivate unity and mutual agreement, and avoid every thing that will have an opposite tendency."

Ib. Declar. on ch. 1. p. 375.

" They must admit no new opinions. And if any one differs in sentiment from the tenets of the church and her doctors, he must submit his opinion to the decision and definition of the Society. In the opinions too in which even the Catholic doctors differ or contradict one another, the members of the Society must take care to agree."

Constitut. Part 8. Declar. on ch. 1. p. 426.

" With regard to such as have not been much versant in the sciences, all of them, as much as possible, must take care to follow precisely the same doctrine which has been chosen by the society, as being the best, and most agreeable to our tenets."

V. Congreg. Decr. 50. n. 2. p. 556.

" The laws therefore order three things, First, That our members broach no new opinions. Secondly, That if they differ from the common opinion, they must hold by the judgment of the Society. Thirdly, That in controversies, in which neither of the opinions properly is a common opinion, they must be reduced to agreement, that by these means we may all have the same doctrines, and the same mode of expression, according to the direction of the apostle."

B L A S-

CHAP. II.

On BLASPHEMY.

FRANCIS AMICUS.

A Course of Divinity, by Francis Amicus, of the Society of Jesus, Vol. VI. at Douay, 1640. By permission of John Rumer, Provincial of the Society of Jesus, in Austria, in virtue of power received from Mutio Vitelleschi, General of the Order, and after the Work had been approved of by the Fathers of the same Society, to whose inspection it had been committed.

“ A Work inscribed with commendation of the author in the Library of Writers of the Society of Jesus, by Sotnel, p. 210.”

Cours. of Div. Vol. VI. Disp. 24. Sect. 2. n. 56.
p. 351.

“ It is no way inconsistent that the nature assumed by *the Word*, be liable to eternal punishment, which however might necessarily be effaced by some temporal punishment suffered by the same nature.”

Ib. Sect. 4. n. 114. p. 359.

“ As *the Word* might assume an irrational nature, incapable of any knowledge, in like manner he might also assume a rational one devoid of all knowledge, actual as well as habitual.”

Ib. n. 116.

“ Whatever evil is in error, habitual or actual, is no way inconsistent with Christ, in respect of the nature he assumed, as in reality he assumed all the other penal circumstances to which the human nature is subjected.

“ Proof

“ Proof 1. *The Word* could unite himself to the stupid nature of an ass; he might then unite himself also to the human nature though subject to error.

“ Proof 2. It is no more inconsistent with *the Word*, in respect to the nature which he assumed, to mistake, or tell a material lie, than to be tormented and die in that same nature. Since then he could be tormented, and die in that nature to which he was united, he might also in the same nature err and lie materially.”

Ib. n. 129. p. 361:

“ Madness in itself is not inconsistent with the intellectual nature, neither morally, formally, radically, nor materially and objectively; therefore there is no reason to say that this madness is inconsistent with the nature united to *the Word*.

Ib. n. 130.

“ There is therefore no reason to think it inconsistent, that *the Word* assumed a nature destitute of common sense, or that that nature, after its union could lose the use of its sense.”

ETIENNE BAUNY.

A Summary of the Sins committed in every State, by the Rev. Father E. Bauny, of the Society of Jesus, revised and corrected by the Author. At Rouen, 1653.

“ It is inserted with praise in the catalogues of the Writers of the Society. In that of Allegambe, p. 425; in that of Sotnel, p. 747.”

Of Blas. ch. 5. p. 66, 67.

“ The penitent must be asked, if he sinned in these abuses of speech; if he has cursed and despised his Creator.”

Sa on the Word Blasphemy, n. last.

“ If he say that the heat of passion hurried him into these scandalous expressions, they may persuade him that in saying them, he has sinned but venially, inasmuch as they are evils only in a material sense; because anger had deprived the penitent of the means of considering what they signified formally.” Laymann.

CHARLES ANTONY CASNEDI.

THEOLOGICAL JUDGMENT.

Vol. I. Disp. 6. Sect. 2. §. 1. n. 59. p. 174.

“ Do whatever your conscience informs you is good, and commanded. If you believe, by an invincible mistake, that lying or blasphemy is commanded you by God, blaspheme.”

Ibid.

“ Do not that, which your conscience invincibly tells you is forbidden. Omit that worship of God, which you invincibly believe God has forbidden.”

Ib. §. 2. n. 78. p. 177.

“ There is really a reflex law of God; namely, obey the dictates of an invincibly erroneous conscience. Every time you invincibly believe that lying is commanded you, lie.”

Ib. Sect. 5. §. 1. n. 165. p. 192.

“ Suppose a Catholic invincibly believes that the worship of images is forbid; in this case, our
Lord

Lord Jesus Christ ought to say to him, Go, thou cursed, &c. because thou hast worshipped my image.

“ In like manner there is no absurdity in Jesus Christ’s saying; Come, blessed of my Father, &c. because you lied invincibly, believing that on such an occasion I commanded you to lie.

FRANCIS XAVIER FEGELI.

Practical Questions concerning the Duty of a Confessor.

Part 4. c. 1. n. 7. p. 284.

“ Q. 7. What must be remarked with regard to thee, who curse God, men, and inanimate beings?

“ A. 1. They commit the most heinous sin of blasphemy, if they curse God; and they may not be excused on account of their simplicity, ignorance or inadvertency.”

MATTHEW STOZ.

The Tribunal of Repentance.

B. 1. Part. 3. Quest. 3. Art. 2. §. 1. n. 172.
p. 153.

“ Finally, blasphemy, in whatever manner it is uttered, is either formal and direct, or material, indirect and interpretative. Formal blasphemy is that which is committed with the will and avowed intention to despise, dishonour, and affront the divine majesty himself, or his saints, which seldom happens but in men of the most abandoned character. Material blasphemy is the sin of those who blaspheme without such an intention as has been mentioned, who however do not reflect that God is offended and affronted by these expressions which they utter, or the like.”

Ib.

Ib. Art. 2. n. 173. p. 154.

“ Blasphemy, whether material or formal, is a mortal sin, and can never become venial, except by the want of all reflection in the case of a sudden perturbation of mind, or an inveterate habit. Sanchez.”

C H A P. III.

PERJURY, FALSE WITNESSING, &c.

E M A N U E L S A.

Aphorisms of the Confessors, by Emanuel Sa; D. D. of the Society of Jesus. At Cologne, 1590.

“ It is inserted with commendation in the different catalogues of the writers of the society : in that of Alegambe, p. 102, and in that of Sotnel, p. 193.”

Aphor. on the word *Falsarius*, p. 150.

“ A person is not guilty of forgery, tho’ to replace a title of nobility, or a heritage which has been lost, he frame another similar to it.”

Aphor. on the word *Testes*, p. 218.

“ A witness is not bound to answer, unless he knows he is obliged For example, if in a civil process he does not know that there is a complete proof of the infamy, or sufficient witnesses ; and if in a plaintive process, he does not know that there is a half proof of the crime.”

Ib. p. 219.

“ A surety cannot be forced to swear concerning the subject of a contract, in which he was mediator, unless both parties agree to it.

Ib. p. 220.

“ One may swear that he knows nothing of what he only heard.”

C

“ Every

"Every one who is not lawfully asked, may reply that he knows nothing of what is asked of him, meaning in the manner in which he may be obliged to tell it."

"A witness can receive nothing for telling the truth, but he may receive a reward for the loss he sustains. If he receives any thing for a false witnessing, he is not bound to restore it."

"A layman cannot be a witness against a clergyman in a criminal cause, unless the charge be notorious, as of heresy, simony, or high treason."

On the word *Juramentum*, p. 226.

"It is not a mortal sin to swear that one will not do that which is better to be done; nor to swear falsely in words, when your oath is true as to the intention of the person who bids you swear. As, in time of plague, if you swear that you came not from that place, meaning where the plague was; or that you have not spoken with such a one, to wit, concerning the things which are suspected. This is probably the opinion of some, which to me does not appear very safe, nor would I advise any person to do it, tho' nevertheless I would not disapprove of him who has done it."

"According to the same people, you may swear before a judge that you have not done such a thing, that is, in the manner in which he thinks it; or to him who forces you to do a thing you are not allowed, and are not bound to do, you may swear that you will do it, meaning, if you are allowed or bound to do it. Again, to one who unjustly, and by force obliges you to tell a secret, you may swear that you are entirely ignorant of it, that is, in the manner in which you may be bound to tell it. Finally, they say, that when you are not bound

bound to swear agreeable to the intention of him who puts you to your oath, you may do it according to your own mind. Others deny this, saying, that absolute falsehoods cannot be excused by such mental reservation. There are learned men on both sides of the dispute, whose opinions are equally probable.

FRANCIS TOLET.

Advice to preachers ; and concerning the Seven Mortal Sins.

B. 5. cap. 58. p. 774. 775.

“ There is yet a second consideration with regard to a pannel ; it is, in case he is not examined in a legal manner : how ought he to answer, if he has really committed the crime ? First then, it is evident he may appeal, and not answer at all. The only difficulty consists in knowing, if when obliged to answer, he may reply in the negative. It is certain he is not allowed to lye, for then he would perjure himself, and in all such cases would sin mortally ; but he may use equivocation. Sotius, B. 5. Of Justic. quest. 6. art. 2. maintains that sin no account is he allowed to say, I have not done it, because in that answer, there is not an equivocation, but a downright lie. However, Adria. 4. in Quest. de Sigill. says, that such a Pannel may say, I have not done it. Cajet. Opuscul. 16. Quest. 5. that he may declare he had no accomplices, tho’ he had some in it. However, the Pannel must be upon his guard, not to utter these words in any other sense than what is agreeable to his own intentions. For example, if he reply, I did it not, he must mean, since he was put in prison. If he answer, I had no accomplices, that is, in com-

mitting other crimes than that, about which he is examined, otherwise it would be a lie, though not in this manner; because in such a case, the words ought to be considered, not according to the intention of the judge, but of the criminal."

ANDREW EUDEMON-JOHN.

Apology made by And. Eudem. John, a Cretan of the Society of Jesus, in answer to the process for High Treason, raised at the instance of Edward Cock, against the Reverend Father Henry Garnet, an Englishman, priest of the same society of Jesus. At Cologne, 1610, with permission granted by Claudius Aquaviva, general of the Society of Jesus, after three divines of the same order had examined it; and another permission to print it, granted by Henry Scheren, provincial of the Society at the Rhine.

Apol. ch. 1. n. 4. p. 29.

"Finally, this is the tendency of the whole dispute concerning equivocation. We do not allow it to be used on every occasion, and without choice; but it ought to be regulated by a proper necessity concealing a secret, in such a manner, that when your answer is true, you may nevertheless escape the discernment of the person, who has no right to know it". . . .

Ib. n. 5. p. 37.

"There can be no solid objection to this practice. For equivocation is blamed, either because it is looked upon as a lye, or because, if it is not a lye, it equally deceives the person to whom it is used, or because it destroys all commerce and society, or because it sometimes happens, that by it
people

people are abused. But all these, and such like reasons have no weight. For to begin with the first objection; How can equivocation be a lie? Since to lie, is to speak contrary to your thoughts, and when the person who uses it speaks according to the sense of his mind, and the sense which his words will easily bear, though he believe that the man to whom he speaks will explain them in quite another way."

Ib. n. 6. p: 41.

" But, upon supposition, that the equivocation generally escapes the notice of the hearer, and so deceives him; I do not see what handle our adversaries can make of that, unless they lay it down as an axiom, that it is unlawful for one man to deceive another, by honest means."

Ib. p. 43.

" For because one has sometimes abused equivocation, against which in this process so great declamations have been made, and which I allow may happen; yet I do not see how a conclusion can be drawn thence, against a doctrine, established on such solid Grounds: For what is there in nature so good, that people will not abuse, if they have a mind?"

S U A R E Z.

On Virtue and the State of Religion, vol. II. by Francis Suarez, of the Society of Jesus, famous professor of divinity in that celebrated University of Coimbra. At Lyons, 1614, with permission of Jerome Dias, Provincial of the Order, in Portugal, in virtue of power granted him for this end, by Claudius Aquaviva, general; after having been approved

approved by the learned doctors of the same society : also with another permission of Lewis Michael, Provincial of the Order at Lyons.

The author's name is inserted with commendation in the different catalogues of the writers of the Society of Jesus. In Ribadeneira's, p. 70 ; in Alegambe's, p. 136 ; and in Sotuel's, p. 255.

B. 3. ch. 9. after. 1. n. 2. p. 473.

“ In the first place then, I assert, that there is no intrinsic evil in using equivocation, even in swearing ; therefore it is not always perjury.”

“ This is the common and established opinion ; (in the following assertion it will be supported by proofs of authority and examples) and here it is proved by the following reasoning. Equivocation in speech is not always a lye ; it is not then intrinsically evil ; therefore it is no more perjury, or intrinsically evil, thus to assert any thing with an oath . . . The reason of this is, that a lye, is a person speaking contrary to what he thinks ; because he who speaks, is bound always to conform his words to his own intention, tho' he is not bound thus to conform himself to the intention of the hearer ; but he who uses equivocal expressions in a meaning agreeable to his own intention, cannot be said to speak contrary to what he thinks ; therefore he does not lye, nor does he tell a falsehood ; consequently, to use this mode of expression, is not intrinsically evil, for it is only on condition of it's being a lye, that it is an evil. Whence we may still conclude, that there is no perjury in swearing after this manner ; because by that oath we do not take God to witness a lye, since that is not a lye. But there is perjury where there is no lye,
for

for we speak of perjury in its strict and proper sense. Whence finally we may conclude, that such an oath includes nothing intrinsically evil, since it is accompanied with truth, and has all the essentials of a true oath, as has been proved.

Ib. assert. 2. n. 5.

“ In the second place I assert, that as often as a person in a lawful cause, utters words, either in their proper meaning, or in such a way as that they may be interpreted in a lawful sense, he is neither guilty of perjury nor of any sin in swearing after this manner. I prove this by examples from famous authors, and established by custom.”

I. If one has promised or contracted outwardly, without an intention to promise ; being asked by the judge, and called to declare upon oath if he has contracted or promised, he may simply answer he has not, because that may have a lawful meaning, viz. I did not promise, with a promise binding myself; and he has a lawful reason for answering thus, because if he could not prove his want of intention, he would be condemned to pay, what in reality he did not owe, or to cohabit with a woman, with whom he did not really contract. This is the doctrine of Navarre at large in the chap. *Humane Aures*, where he asserts, that one may not only swear, that he has not promised, but even if he is strictly examined, that he did not utter such words, meaning that he did not pronounce them, promising truly, or in the manner in which he might be obliged to confess.

N. 6.

II. If a person has borrowed money, which he afterwards payed, but nevertheless it is demanded of him again in a court of justice, where he cannot prove that he has paid : being asked by the Judge, he may absolutely deny that he borrowed that money, meaning either, that he did not borrow that money a second time, after he paid it, or that he did not borrow that money so as to be owing it, or so as to be obliged to discover it. . . .

Ib. ch. 10. n. 4. p. 475.

“ And thus the question is resolved, and has been proved that mental equivocation may be allowed with some limitation.”

T H O M A S S A N C H E Z.

A moral work on the Ten Commandments.

Part 2. b. 3. ch. 6. n. 31. p. 30.

“ Whence it follows, in the 5th place, that he who is permitted to hide some of his goods, in order to support his life ; that they may not be seized by his creditors, and so he be reduced to beggary : being asked by a Judge, he may swear that he has no goods concealed. These also who know it, may swear the same thing, provided they are assured that he has lawfully concealed them for that very end, meaning, that he has concealed no goods, which he ought to discover to the Judge.”

“ Covarruvias and Azor maintain, that the person who has paid the money that was lent him, may, if the Judge asks him concerning this loan,

Joah, swear that he never received it, understanding within himself, so as still to be bound to pay it. Suarez, in the work already quoted, is exactly of the same opinion "I also think that a like answer may be given, if the debtor was not then obliged to pay it, the term of payment not being come, or if thro' poverty the payment of his debt is dispensed with at that time, because the Judge asks him, in order to force him to pay it immediately, wherefore denying that he received the sum, meaning, in order to pay it immediately; he answers agreeable to the intention the Judge ought to have. For the same reason, in my first book concerning Marriage Disp. 10. n. 27 and 28. I have proved that as often as a man, who has promised marriage, whether sincerely or feignedly, is excused from performing his promise for some reason or other; when summoned by the Judge, he may swear that he did not promise it, meaning, in such a manner as to be obliged to fulfil this engagement. This may take place, as we have said, n. 28. not only when he has some reason for not performing his promise, but even always, when in the opinion of wise men, it is probable he is not bound to do it: For, according to this probable opinion, he may with a safe conscience think he is not bound. For the same reason, a clergyman being asked by the guards if he carries any thing, with a view to make him pay the tax, may swear that he carries nothing, meaning for which any tax is due. According to the probable opinion, the same will hold in the case of a layman carrying any thing which pays no tax, or at least, pays it only in part"——

Ib. n. 34. p. 31.

“ In the 7th place it follows, that students being asked if they conversed with any one of the candidates, who are on trials for a place, with a safe conscience they may swear that they did not speak to them, if in their conversation they only spake of such matters as did not in the least tend to suborn them ; meaning concerning matters of that kind.”

N. 35.

“ In the 8th place it follows, that a man coming from a place, which is falsely believed to be infected with the plague ; being asked by the guards of the city, if he came from that place ; he may swear that he did not come from it, meaning within himself, as if he had not come from a place infected with the plague : because this ought to be the intention of the guards.”

N. 36.

“ In the 9th place it follows, that a creditor, who, in virtue of a proper deed, demands payment of a certain debt before a Judge, may swear that the whole sum contained in that deed is due to him, according as he is ordered to swear, tho’ a part of that sum has been paid him, if in any other way, there is due to him a sum equal to that which was paid him, having no public deed, by virtue of which he can demand payment of it. That, however, ought to be understood with this limitation, that he is not to prejudice the right of another creditor, who had a claim prior to the debt contained in his deed, &c.”

N. 37.

N. 37.

“ In the 10th place it follows, that if one unjustly extorts from another a promissory oath to pay a sum of money ; he who swears may lawfully use this equivocation : I swear to you that I will pay this sum of money, taking it in this sense, I swear to you that I will pay this sum of money, either to you or another. Moreover, if the name of God has different significations in that language in which the oath is made, he may swear by the name of God, taking it in another signification.”

N. 38.

“ But some deny that even in that case it is proper to swear, retaining in the mind this condition : I swear that I will pay it to you, if exclusive of this oath, I am your debtor. The reason they give for it is, that according to the common acceptance of them, these words will not bear such equivocation. But - - - it must be said, that it is allowable.”

N. 39.

“ In the 11th place it follows, that he who is obliged to take a certain woman for his wife, without being bound to it, may swear that he will take her, meaning, if he is bound to do it, or if she afterwards pleases him.”

N. 40.

“ In the 12th place, it follows, that a woman at the point of death, and being excommunicated for not cohabiting with her husband, whom she knows not to be truly hers, on account of some secret impediment : if, in order to obtain absolu-

tion, she be obliged to swear that she will cohabit with him, in case she is restored to her wonted health : this woman, I say, may swear in that manner, meaning within herself, if I am allowed to do it."

VALERIUS REGINALDUS.

Practice of the Tribunal of Repentance.

Vol. 2. B. 18. ch. 17. Sect. 1. n. 90. p. 97.

" Proposition 6th. If one has a lawful reason for using equivocation or deceit in swearing, even when he, to whom the oath is made, would understand it in quite another manner, than he who swears it, and consequently would be deceived ; he does not commit a mortal sin, and sometimes not even a venial one."

Ib. B. 24. ch. 1. sect. 4. n. 9. p. 383.

" It is asked, if it is lawful to hide the truth by equivocating. We answer, that the case is lawful. But the case, in which one may hide the truth by equivocation, without lying ; is when what a man says is true according to his own intention, tho' it be false according to the intention of the hearer, and the common acceptance of things."

Ib. n. 10

" But it must be remarked that the equivocation here spoken of, is not only that which follows from the different significations of words ; but also that which happens, when the words which a person utters, are really false, whether taken separately or together, but become true with the help of some additions, which are understood within himself by the speaker."

L E O.

LEONARDUS LESSIUS.

Of Justice and Right.

“ Secondly, if a Judge asks concerning an action which may be done without any sin, at least a mortal one, the pannel and the witness are not obliged to answer according to the intention of the Judge. For example, you have slain Peter, who attacked you, while supporting a just argument, or without any riot; you are not bound to confess that you have killed him, tho’ that report be spread abroad, nor is the witness bound to declare it, for the Judge is asking about a criminal murder. If you confess it, and cannot prove that it was in your own defence, he will condemn you for manslaughter, on a false presumption. Besides, if you are not guilty of a crime, you are not obliged to confess circumstances, which would make you be strongly suspected of it; for example. That that sword is yours, and that you were in that place, &c. because his interrogation, tho’ legal, is founded on a false presumption. In these cases then, the pannel may safely deny any thing that would be dangerous to him to confess, by using a proper mental reservation.”

Ib. n. 18.

“ From what has been said it follows, 1st. That one is not obliged to swear according to the intention of the Judge, but may use equivocation and mental reservation. 2d. That this opinion is very probable, even in the case where the crime is not capital, but in such as are grievously punished, as being condemned to the Gallies, or to perpe-

perpetual imprisonment, or the confiscation of one's goods.—And as this opinion is so very probable, so no Priest ought to force a Penitent to confess the truth, if he has any hopes of escaping. The same remark has been made above by Emanuel Sa : namely, that when a Pannel sees full proofs of his guilt can be adduced, and so has no hopes of getting clear, he is obliged to tell the truth because there is no reason then to conceal it."

M A N U A L.

Of the congregation of the B. V. Mary, for the use of students in the colleges of the Society of Jesus. Collected at first by the fraternity at Liege, and now published for the first time, with great enlargements by the Fraternity at Pont-a-Mousson. The last edition, in which all the faults of former editions are carefully corrected, at Lyons, 1633.

Part 15th. Of Lying, and the manner of sometimes hiding the truth without sinning. Ch. 11. part 15th. p. 410.

"Finally, when you are unjustly forced to answer a question, as often as you answer agreeable to the intention of him who asks it, you do yourself an injury, which might be easily avoided by the artifice we have just now mentioned; as it is lawful for you in speaking to use mental reservations."

VINCENT FILLIUCIUS,

Moral Questions. Vol. 2. p. 160.

"Qu. 1st. It is asked, if it is an evil to use equivocation in swearing? It must be supposed, that
equivoca

equivocation is nothing else than the person who swears, using the words in another sense than he who receives the oath does."

" 1st. In swearing equivocally there is, I answer, no intrinsic evil. This is the common doctrine out of Suarez, &c. ch. 9. n. 2.

" 2d. I say, that often it may be a sin to use equivocation, when it is done without a proper reason, or to deceive our neighbour; in which sense the holy Fathers are to be understood on this point."

Ib. n. 325.

" Qu. 3d. It is asked, if, when it is only mental, one may be allowed to use equivocation in swearing?—I answer 1st. That it is probable, it is not allowed to swear in this case. . . . But

Ib. n. 326.

2d. I say it is more probable that even in this case it is allowed to swear."

Ib. n. 328.

" Qu. 4th. It is asked, what precaution is necessary in using equivocation? I answer 1st. That, without repeating what has been said on the former question, in order to conceive a right of equivocation, two ways may be assigned in which persons of judgment may use it. The 1st. consists in having an intention to utter nothing externally but material words: and for the greater safety, when one begins to say, *I swear*, he must add with a low voice, this mental reservation, *that to day*, and then go on aloud, *I did not eat any such thing*: or, *I swear* in a low tone, *that I say*, and then aloud, *I did not this or that*. For in this manner
the

the whole speech is true. The 2d. way consists in having an intention not to finish the speech in external words only, but also with a mental reservation; for every man is at liberty to express his thoughts, either in whole or in part. As for ignorant persons, who cannot particularly conceive what equivocation is, it is sufficient that they have an intention to affirm or deny, in a sense which is intrinsically true; and for this end it is necessary that they know, at least in general, that they may deny in some true sense, otherwise they cannot speak agreeable to truth at all."

Ib. n. 330.

"Qu. 5th. It is asked what sin one is guilty of in using equivocation, without necessity? 1st. I answer that it is probably a lie in this case; and consequently it is perjury, if an oath is added. 2d. I say that it is more propable, that strictly speaking it is neither a lie nor perjury. . . . There is nothing in it incompatible with truth or human candor, because it is not opposed to truth thro' a want of, but a too great concealing of what is true. Therefore a confirmation of what one says, with an oath, is not strictly speaking, perjury, but a kind of irreligion: and if there is any thing scandalous in it, on account of the outward appearance of perjury, the action will be reduced into the malice of this crime, which chiefly happens in equivocation with mental reservation; as Suarez very properly says, ch. 11. n. 5."

JAMES

JAMES GORDON.

Universal Moral Theology.

B. 6. Qu. 5. n. 3. p. 1011. and 1012.

“ There still remains a difficulty, namely, to know what decision must be given in the case, where a man who has made a vow, (knowing what a vow is) really had an intention to make a promise, but had no intention to bind himself. On this subject there are different opinions. Some hold the validity of a vow; others deny it: this last opinion is followed with a great deal of reason by Sanchius, whom I have already quoted, and by Azor quoted by Sanchius. And that is founded on the ground already mentioned, that an express intention not to bind one's self is contrary to the nature and essence of a promise. I here except the obligation which may arise from scandal. Suarez is exactly of the same opinion. . . . It is certain, that when a person is ignorant of the nature of a vow, it is impossible for him to have an intention to make one, and yet not to bind himself. This vow then is not valid in the court of conscience, tho' it is in the power of the church to oblige him to fulfil it. From these principles we may reasonably conclude, that the man, who is entering into holy orders, is positively determined not to bind himself to chastity, (I speak of the obligation, and not of the exclusion) he is not bound, by the vow annexed to that office, to keep himself chaste. I say, *in virtue of the vow*; for he may be bound to it by the command of the church; and if he has contracted a marriage, it may be rendered null and void, &c. &c.—These things being once established, it is easy to determine whether

ther it is sometimes lawful to hide the truth by speaking equivocally. For we have certainly made it evident, that this equivocal manner of speaking is sometimes lawful."

Many more instances of the Popish Doctrine on this subject, drawn from the same sources, with the former, might have been here mentioned; but it is imagined that every candid reader will by this time think he has got enough of it, and so we proceed to another subject, viz.

C H A P. IV.

ON IDOLATRY and IRRELIGION.

Gabriel Vasquez.

Concerning the worship of Adoration, three books by G. Vasquez, theologian of the Society of Jesus; with permission of the superiors of the college of the same Society at Mayence. Printed at Mayence with permission, granted by Francis Porez, Provincial of the Society in Toledo, in virtue of power given him for this end by Claudius Aquaviva, General of the Order, in consequence of the judgment and approbation of the Doctors of the same Society.

This author is inserted with commendation in the different catalogues of the writers of the Society. In that of Ribadeneira, p. 81. in Sotnel's p. 271, and in Alegambe p. 146.

B. 3. disput. 1. ch. 2. p. 393, 394. Edit. May.

"The truest opinion is, that all things both irrational and inanimate may be lawfully adored. If we understand well the doctrine which we have established, B. 2. Disp. 8, and 9. We may lawfully adore not only all images, and all sacred things,

things, exposed by public authority for being used in the worship of God ; but we may also adore along with God, as his image, every other thing in this world, whether inanimate and irrational, or rational, without considering what its nature is ; and this may be done with the greatest safety."

Ib. p. 396.

" Pray, what can hinder us from adoring and reverencing, along with God, and that even without the least shadow of danger, whatever things are in the world, since God is essentially in them, and by his power continually preserves them ; and we may even fall down before them, and salute them, and yet at the same time with our whole heart be carried out towards God as their author, and the great antitype of whom they are the image. There is, indeed, more than one way in which we may lawfully adore the creature, joining it in our thoughts with God, or with some saint. The first is that of representation, which is done by images. The second is that of a real touching, when the thing does not even exist ; and this takes place with regard to things which have touched Jesus Christ, or a saint, such as a cross, nails, garments, and such other things. The third way is, when what we adore, has made a part of a saint, such as the relics of his body. Every one may really represent to himself one of these ways in the inanimate things which he adores ; for example, in the image, the cloths, and the relics, he may consider the rational being to which they relate (Jesus Christ, or any saint,) as being present in, and united with them. To these three, we may still add a fourth ; for every thing in the world being the work of God, he being continually in these things, and working

in them; it is still more easy to consider him in his own work, than a saint, in the habit which he once wore. Thus then, without in the least minding the dignity of the creature, we direct our whole attention towards God, contenting ourselves with bestowing on the creature a mark of our homage by falling down and kissing it. This is so far from being a vain and superstitious act, that, on the contrary, it is an excellent act of religion.

“It is true, that at first sight it would appear indecent to give these external marks of homage to God in brute animals, and base things; that however, if we consider the things of this world in their own nature, does not hinder it from being lawful to adore God in any one of them; we may even in them adore saints and angels, if, in our thoughts, we can join them to these things. Finally, as the adoration of inanimate objects has an appearance of superstition, it ought not to be done publicly, as we shall shew from Leo I. It was he who caused images and other things which are set up for the public worship of God, to be called sacred and venerable, because in their common use they are consecrated to veneration; but on the contrary, other common things, tho’ they might be used in the worship of God, were not to be called venerable or sacred, because they are not consecrated by common or general use for adoration.”

ETIENNE FAGUNDEZ.

Etienne Fagundez of Viana, a Portuguese Theologian, of the Society of Jesus, Hist. vol. 1st. on the five first commandments of the Decalogue. At Lyons 1640. with permission granted and subscribed by Mutio Vitelleschi himself, general of the

the order, in consequence of its being examined by three divines of the same society, to whose inspection it had been committed.

It is commended in the two libraries of the writers of the society, by Alegambe, p. 427. and by Sotnel, p. 749.

Vol. 1. b. 1. ch. 33. n. 2. p. 165.

" You will make this objection against the definition of idolatry. The Gentiles and the Pagans, when they adore their idol, believe that that idol is the true God ; according to their intention then, this worship tends to the true God ; therefore it is false, that idolatry being a worship due to the true God, is attributed to a false God.

" I answer, That it matters not, tho' according to their intention, that adoration tends to the true God, when, in reality, it is attributed to a false God. For that vain idea does not render the act absolutely lawful; though with respect to the gentiles, who are invincibly ignorant of the true God, this is not a formal, but only a material sin."

NEW MEMOIRS.

On the present State of China, by Father Lewis the Count, of the Society of Jesus; third edition at Paris, by Anison, director of the Royal Printing 1697, with the Royal Privilege. Approved by F. Peter Dozenne, Provincial of the Society in France, in consequence of power received from the general of the order; after having been seen and approved by three Theologians of the same society. And in the beginning of the third Vol. containing the edict of the emperor of China, in favour of the Christian religion, is the approbation of father James Picart, provincial of France,
granted

granted to father Charles Gorbien, in consequence of power received from the General of the Order, after three divines of the Society had read and approved of it.

Defence of the Censure of the Theological Faculty at Paris, of the 18th October 1700, against the propositions in the books intituled, *New Memoirs of the Present State of China, &c.* by Mr. Lewis Ellie Dupin, Dr. of Divinity, in the Faculty at Paris, 1701.

New Memoirs, Vol. I. p. 118.

“China has practised the purest maxims of morality, while Europe, and almost all the rest of the world were in error and corruption.

“The people of China have preserved for near 2000 years the knowledge of the true God, and have honoured him in a manner which might serve for an example and instruction even to Christians, &c.”

Censure of the Theological Faculty of Paris, of the 18th October, 1700, p. 33.

“The doctrine contained in these propositions (concerning the purity of morality, sanctity of manners, &c.) is false, rash, and scandalous, impious, contrary to the Word of God, heretical, and overturns the Christian faith and religion, and renders of none effect, the suffering and death of Jesus Christ.”

Ib. p. 35. Memoirs, vol. II. p. 119. 3d edition.

“Whatever be in this, in that wise distribution of favours which divine Providence hath made among the nations of the earth, China has no reason to
com-

complain, as there has not been any one so constantly favoured."

Censure, *ib.* p. 35.

"This proposition is false, rash, erroneous, and contrary to the word of God."

Memoirs, vol. III. p. 104. Hist de l'Edit. de l'Emper, p. 36.

Besides, his Chinese Majesty must not look on the Christian religion as a strange religion, since it was the same in its principles and fundamental articles, with the ancient religion professed by the sages and first emperors of China, who adored the same God the Christians do, and acknowledge him also as well as they, for the Lord of heaven and earth; as father Matthew Ricci hath shewn in an excellent book which he composed in China on that subject."

Censure.

"This proposition is false, rash, scandalous, and erroneous."

JOHN DE SALAS.

On the first Second of St. Thomas. Vol. I. quest. 3. Treat. 2. Disput. 2. Sect. 5. p. 176. n. 40.

"There is no love due to God in justice. All love to God is not due in justice; nay, not even any love is due in that manner: though all love be due by a certain decency and honesty, because God of himself is worthy to be loved; and some love towards him is ordered by Charity, or some other virtue."

FRANCIS

FRANCIS SUAREZ.

Treatise on the three Theological Virtues. At
Lyons, 1621. Disput. 5. Sect. 3. n. 1. p. 434.

“ When is this precept of loving God above all things obligatory on us ?

“ This precept virtually contains something negative, as, not to hate God ; and in this respect it is always binding : but the difficulty consists in the affirmative part of it, that is, with respect to the act of love which ought to be produced. Some think that it is binding on us, as often as we are bound to the observance of any other precept, because no other one can be perfectly fulfilled without love. But they are mistaken, for there is no probable foundation for this obligation, since that act is not necessary for fulfilling any other precept. Others affirm, that it is only on festival days—They are equally mistaken—There is no reason for prescribing the necessity of it on these days—All the things which are done on these days for performing the external worship of God, may be done without the act of love. Others teach us that it is binding at the point of death, at which time, this precept, by its very nature, appears to be binding. However, it is entirely inconsistent with the dignity of such a precept, to reject the whole obligation of it till the very last.

“ In fine, others maintain that it is binding the first moment we have the use of reason ; and afterwards on several important occasions, such as,
1st, If baptism is to be received by an adult person—2d, If we are about to suffer martyrdom, or enter into any difficult and excellent enterprize—3d, When we have received any remarkable blessing from God—4th, When we see the divine
Ma-

Majesty insulted, and have it in our power to hinder it—But all this does not please me; what is said of the first moment of the use of our reason, needs no refutation. As to the first case supposed, it is not true, when even he to whom baptism was to be dispensed, could not formerly have had repentance. In the case of martyrdom, there is certainly nothing which imposes this necessity on us; for if one is already probably in a state of grace, the obligation laid on him would equally respect all those who are at the point of death, unless by accident some other thing should be more necessary for him, in view of the great work he has to do, as I will mention by and by. As to what is added with respect to the entering on any excellent work, it is merely without foundation; for it is sufficient at that time to pray, or do some such thing. The third case is false, because on the reception of a blessing, in order to fulfil the precept, it will be sufficient to give thanks, and even tho' that be not done instantly, it is no mortal sin. The last case does not appear sufficient, even to Sotus: but Navarre adds, that the love of God is binding when the love of our neighbour is binding: but neither is this true, since one may exercise an act of love to his neighbour, without love to God, &c."

PETRUS ALAGONA.

Abridgement of St. Thomas's Aquinas's Theological Collection, by Peter Alagona, Theologian of the Society of Jesus. At Paris 1620. At Rouen 1635.

In the Paris edition 1620, you will see the permission to print and sell it freely, granted by Barthol. Jacquinot, Provincial of the Society of Je-

fus at Lyons. This author is inserted in the catalogues of the writers of the Society of Jesus; in that of Alegambe, p. 369; and in that of Sotuel, p. 656.

Quest. 94. edit. 1620. p. 244. edit. 1635. p. 230.

“In consequence of a commandment from God, it is lawful to kill an innocent person, to steal, to commit fornication; because God is the author of life and death, thus to fulfil his commandment is a duty.”

REPRESENTATION.

Of the first age of the Society of Jesus, composed by Flandro-German, Province of that Society. At Antwerp, 1640.

B. 1. ch. 3. p. 64.

“The Society of Jesus is not a human invention, but springs from him whose name it bears. Jesus Christ himself hath expressed both by his doctrines and practice, that very manner of life to which the society conforms!”

Ib. p. 318.

“The Society’s being dispersed thro’ the whole world, is a fulfilment of Malachi’s prophecy.”

Of the frequent use of the sacraments, re-established by the Society.

B. 2. ch. 8. p. 372.

“Sins are now expiated with more chearfulness and eagerness, than they were formerly committed. Nothing is more common than a monthly or weekly confession and expiation. Many now, more quickly efface their sins, than they commit them.”

AN-

ANTONY SIRMOND.

Defence of Virtue ; by Father A. Sirmond, of the Society of Jesus ; at Paris 1641. with Permission, granted by James Dinet, Provincial of the Society of Jesus ! after this work had been examined and approved by three Divines of the Society.

He is inserted with commendation in the catalogue of the writers of the Society. See Sotnel, p. 85. It is there said of this author, that, being a man of singular piety, after having consecrated himself wholly to prayer, he passed into immortality.

Treat. 2. ch. 3. p. 18.

“ It is then said that we should love God effectually in deed and in truth, doing his will as if we actually loved him, as if his sacred love enflamed our hearts, as if the motive of charity led us on to it. If we do this really, so much the better ; if not, we, nevertheless, strictly obey the commandment of love, in works ; it is not so much commanded us to love, as not to hate him, either formally by an actual hatred, which would be very diabolical, or materially, by transgressing his laws.”

“ If it is necessary to direct virtuous actions to the glory of God.”

Ib. ch. 7. p. 106.

“ No body doubts but this would be for the better ; the glory of God being the most exalted motive of all, we should always give out our hearts and intentions to well-doing, as much as possible. But I see no necessity for it.”

Ib. ch. 3. p. 61.

“Suarez replies, That we are bound to love God at some time; but at what time? he leaves you to judge of that, as he knows nothing of it: some other might at least have said as much about it, if he could not fully resolve it; *nevertheless, what this Doctor does not know, I know not who else can know it.*”

NICOLAS CAUSIN.

A Reply to a Libel intituled, The Moral Theology of the Jesuits.

P. 21. prop. 9th.

“Suarez teaches, that a man having sinned mortally, may, without any sin, even a venial one, positively and formally commit this act, *I will not at present turn unto God.*”

Ib. p. 191. prop. 25th and 26th.

“They teach us that a man may be absolved, however ignorant he is of the mysteries of our faith, and tho’ he know neither the Trinity, nor the Incarnation of our Lord Jesus Christ, which are two of the fundamental articles of the christian religion. And that even these ought to be absolved, who are ignorant of these mysteries by criminal negligence.”

JOHN ADAM.

Calvin conquered by his own weapons. By J. Adam, of the Society of Jesus, at Paris 1650. with permission of Father Claudius de Lingendes, Provincial of the Society of Jesus in the Province of

of France, in consequence of the approbation of three divines of the Society.

This author is inscribed with praise in the catalogue of the writers of the Society. Sornel, p. 397.

Part 3. ch. 2. p. 617.

“—Even the saints themselves are guilty of holy extravagancies, and innocent mistakes, and hyperbolic expressions, which contained more than they meant to say.”

Ib, p. 622.

“ This weakness is not criminal; as God would not suffer it in any of his inspired penmen, and whom we call canonical; these he leaves to the difference of their genius, in their natural constitution and temperament—and to follow their own imagination in expressing the things he hath revealed to them, &c.”

Ib, p. 623.

“ The natural vivacity of St. Paul's disposition might well incline him to expressions of this nature. Thus—When he commends faith in his letter to the Romans, he enables Calvin to support his heresy, and seems to say, that one can be saved by it alone, &c.”

ANTONY ESCOBAR.

Moral Theology.

Vol. I. b. 1. sect. 2. Of Human Actions.

N. 141. p. 28.

“ For my part, I was formerly of a different opinion, that, when on the one hand, the divine
pre-

precept urges us actually to receive baptism or or penance; and on the other hand, a tyrant forbids us under pain of death, we were nevertheless bound to receive them, that as much as possible we might make our salvation sure. But now I am of the first opinion, (that it is lawful to use hypocrisy in the administration of the sacraments,) when I find that, though we receive the sacrament, we may, nevertheless, be in danger of damnation, not being absolutely certain, that it was properly administered or received."

Ib. b. 3. sect. 2. Of Sins. Prob. 44. p. 99. n. 213.

" — Thus, a monk who lays aside his habit for the short space of time already mentioned, does not run the risque of excommunication, even though he do it for some shameful and base reason, such as to commit fornication, to steal something, or to go without being known into a place of debauchery."

B. 4. sect. 2. Of capital Vices. Prob. 30. p. 143.

" The sins of blasphemy, perjury, and infidelity, in drunkenness, according to some, ought to be imputed to the person as crimes; according to others, they ought not."

Ib. n. 246.

" I think the first opinion sufficiently probable. To commit these things, when a person is drunk, is not a sin at all, but only the effect of sin."

THOMAS TAMBURIN.

AN EXPLANATION of the DECALOGUE.

On the Decalogue. Part I. b. 2. ch. 1. n. 8.

" Sanchius very properly observes, for practice, that we must not deal very scrupulously with children ;

dren ; for as soon as they have attained the use of reason, they may be bound to act faith ; nevertheless, as they have not reflected on this obligation, it can scarce happen that their not doing it will be a sin. Even adult persons brought up among the faithful, ought not to be indiscriminately obliged to form such an act. For when they have learned the mysteries of faith, and have celebrated the feasts of our Lord, and have heard sermons, and such like things ; unless they have lived like very beasts, we may presume that they have at least once given their consent to these mysteries, and consequently have fulfilled the commandment."

A M A D E U S G U I M E N I U S.

A Treatise on Faith.

Prop. 1. p. 36.

" An implicit faith in the Mysteries of the Incarnation and the Trinity is not a necessary means of Salvation. Laymann, Jesuite, in Mor. Theol. vol. 2. treat. 1. ch. 8. n. 5."

Ib. no. 2, and 3.

" This is the opinion of Sotus, and several others. . . and of John de la Croix. . . . By which it is evident that they are of the same opinion with their brethren ; that an implicit faith of the mysteries of the Incarnation and the Trinity is not necessary to salvation as a mean. . . ."

Ib.

Ib. Prop. 7. p. 50.

"Besides Purgatory in which we really believe, there is another place like a meadow covered with all kinds of flowers, full of light finely perfumed, a charming place, in which the souls that reside, feel no sensible pain. This place will therefore be a most mild Purgatory, and as it were a senatorial and honorable prison. Bellarm. Jesuite, B. 2. of Purg. ch. 7."

Ib. n. 3. p. 151.

"Meanwhile this opinion, which we have just now mentioned, will be a consolation to the miserable, since it is that which supports John de la Croix, taken from Sotus, where he asserts . . . that nobody stays ten years in Purgatory."

GILLES ESTRIX.

A Theological Dissertation, or a safe guide to divine faith. By G. Estrix, Professor of Divinity, of the Society of Jesus, at Lorraine. At Antwerp, 1672. With permission of Laurence Van-Schoone of the Society of Jesus, Provincial in Flanders; in virtue of power received from John-Paul Oliva, General of the Order, in consequence of the approbation of three divines of the same Society, who were chosen for inspecting it.

It is commanded in the library of the writers of the Society of Jesus. See Sotnel. p. 13.

COROL.

C O R O L L A R Y.

Theol. Differt. Assert. 33. n. 159. p. 83.

“ It may happen that he, who has once believed, by an assent of supernatural and saving faith, that something has been revealed by God, may begin prudently to doubt of that very thing. For it may happen, that having learned by the testimony of his curate alone, that God has revealed that he is three persons in one; he will believe by a supernatural assent of faith, that there are three persons in one Godhead: but this same man will begin to doubt of it lawfully, if he find that this curate has a custom of uttering falsehood as well as truth to the people . . . Nor is there any thing frightful in this corollary: for if, according to the common opinion of the Doctors, it is lawful for an infidel, not to believe mysteries immediately when to him they begin to appear in some sort more probable, but to take time more accurately to examine them, why may it not be lawful for one who hath already believed on the probable argument of the word of God, after that to believe no more, especially if what is contrary to faith, should even appear more probable? I do not even think that he can believe in that case.”

F R A N C I S P O M E Y.

A short Theological Catechism.

Lesson 6. Of Limbus. p. 226.

Q. What is Limbus?

A. It is a subterraneous place near Purgatory.

Q. Who are they that go there?

G

A. The

A. The souls of those who never had the use of reason, and who die without being baptized.

Q. In Limbus do they suffer any punishment?

A. No; they will never suffer any there?

Q. Will they see God there?

A. No, they will never see him.

Q. And is it not a great enough punishment never to see God, and to be for ever shut out of Paradise?

A. I confess that it is the greatest punishment of the damned; but I maintain that it is no punishment to the souls in Limbus.

Q. For what reason?

A. Because having never been deprived of the glory of the blessed by their own fault, they will never have any desire to possess it; nor will they envy those who enjoy it in heaven: but they will be perfectly content, and well satisfied with the natural qualities they have received, and will receive from their Creator after the resurrection of their bodies.

Q. After that resurrection, will their bodies be subject to diseases?

A. No, they will suffer no pain, no affliction, no vexation, no inconvenience: on the contrary, their bodies as well as their souls will be endued with all the natural perfections, human nature is capable of.

Q. What will be their employment thro' eternity?

A. To see God, to whom they will be united, saith St. Thomas, by the most perfect knowledge, and the most perfect love, which the light of nature can produce in their soul.

Q. What kind of a place will they be in?

A. It

A. It will be an extensive place, the most pleasant, and lightest on earth, which will then be transparent, and from which they may see the heavens, and the stars.

Q. They will not then be so unhappy, as they are supposed?

A. No, certainly.

Q. But I have heard the contrary of all you have told me?

A. And I too have heard it several times, but it was from persons who had not properly studied that subject. I know that even a great Doctor, and a great Saint seemed to doubt if they were tormented with fire; but in this he has not been followed by any others.

Read a book, intituled, *Of the three States of a future life*. Composed by Father Roa, the Jesuite, and you will there see if all I have said be not agreeable to reason and the opinions of the Doctors.

JAMES PLATELLIUS.

An Abridgement of a Course of Theology.

Par. 3. ch. 1. §. 2. n. 45. p. 27.

“ You will hence conclude that—God may so inspire one with an act of error, that by this act the person will consent to nothing but a false object, without imagining that God thinks so: and by this same act he points out this object, that it might happen, tho’ this act was so inspired, it might not be perceived to come from God in any way.”—

Ib. n. 61. p. 36.

“ — It does not in the least appear absurd that a falsehood may be proposed to be believed by divine faith, with the same evidence that truth is. Nor is there any foundation for asserting that the permission of such a thing is inconsistent with the Divine Providence; as it is impossible that any hurt can accrue from it, either to the whole church, as is evident, or to particular persons who are thus seduced into error, since the consent given to the error is *prudent and meritorious*, as the inclination to lie in him who, by an invincible mistake, thinks he ought really to do it, to hinder another person from sinning.”

I S A A C de B R U Y N.

Theological Theses, defended by James Damman, and Livin de Mayer of the Society of Jesus, while the R. F. Isaac de Bruyn, professor of divinity, of the same society, was president. At Louvain, in the college of the society of Jesus, in July, 1687.

Thes. 24.

“ How will you prove that God may not inspire a man with a positive error? an equivocal manner of speaking is not contrary to the veracity of God; and as he is the rule of human actions, it follows that a man does not sin against the truth, by using the same equivocal expressions.” —

Thes. 26.

“ These who command men to love God continually, and with a predominant love, and who desire to direct all their actions to him, have justly appeared to the Faithful to be more strict than they

they ought to be, and to load the souls of men with a yoke more proper for leading them to ruin and madness, than conducting them to happiness. For, tho' it be commendable always to love God, yet, if the consciences of men are burdened with such a rigorous and difficult commandment, they are in danger of going astray very often, by not properly judging what is sin."

The JESUITES of CAEN.

A. Thesis supported in the Royal College of the Society of Jesus, of the most celebrated University of Caen, on Friday 30th of Jan. 1693. Printed at Caen, by John Cavelier, Printer to the King, and the University.

Position 5.

"The Christian Religion is evidently credible, but not evidently true. It is evidently credible; for whosoever embraces it, is prudent. It is not evidently true; for it either teaches darkly, or teaches things which are dark. Nay, these who assert that the Christian Religion is evidently true, are obliged to confess that it is evidently false."

Pos. 6.

"Hence infer that it is not evident, 1st. That there is any true religion on earth at present. For, whence know you, that all flesh have corrupted their ways? 2d. That of all the religions now extant, the Christian may be the most probable: for, have you traversed the globe, or do you know any others who have done it?—3d. That the Oracles of the Prophets were given by inspiration
tion

tion of God : For how will you oppose me, if I deny that they are true prophecies, or maintain that they are only conjectures? 4th. That the miracles ascribed to Jesus Christ may have been true, tho' no-body could prudently deny them."

Pos. 8.

" An implicit faith in Jesus Christ is not at all necessary to Christians ; nor a belief in the Trinity, the Creed or the Decalogue. That which was necessary to the Jews, and is now necessary to the Christians, is only faith, 1st. In God, 2d. In him as a Rewarder."

Pos. 9.

" We are commanded not only to believe with the heart, but to confess with the mouth. — It is unlawful to dissemble before a Judge, who has a right to examine you, but it is lawful before a private person. If a Judge in private examines you? even then you must not dissemble. If a private person examines you publicly? then you may sometimes dissemble. In what circumstances? A prudent man will teach you. Naaman the Syrian did not dissemble his faith, when he bowed his knee, before the King in the temple of Rimmon. The Fathers of the Society of Jesus are not guilty of dissimulation, when they assume the institution and habit of the Talapoins of Siam."

J O H N de C A R N E D A S.

Theological Judgement, wherein many difficulties, chosen from Moral Theology, are resolved.

Differt.

Differt. 6. ch. 2. art. 2. n. 18. p. 241. col. 1.

“ ——— It will be necessary to premise an observation of Father Granado, 22. Controv, 3. Treat. 14, *On Love*. viz. That it is not known, and it is difficult to determine the fixed and precise moment when this precept of love to God is binding in its strictest sense. For we can scarce establish any thing with certainty on this subject, which will be of use to enable us easily to admit of invincible ignorance, as an excuse for those who have not perhaps fulfilled this precept. According to this most prudent observation, when we say the precept of charity obliges us to frequent acts of love, it is very difficult to determine with certainty the precise moment in which this precept binds in its strictest sense. For we only say that one transgresses the commandment of love, when, in the judgment of a prudent person, he delays the performance of it for a long time: in my opinion, a whole month is a long time, when the great importance of the precept is considered. However, many may be excused in this case, on account of invincible ignorance, or inadvertency.”

BALTHASAR FRANCOLIN.

The Roman Clergy fortified against excessive strictness. A work of Balthasar Francolin; Theologian of the Society of Jesus; divided into two books, in the one of which, the severity of the antient church, and in the other, the lenity of the present church, are defended against the calumnies of some rigid writers. The first edition in Germany was published from the Roman edition, at Munich, 1707. With permission
of

of Michael-Angelus Tambourin, Deputy-general of the Society of Jesus, after it had been examined by some Doctors of the same Society.

B. 2. Disput. 7. n. 20. p. 156.

“ You have at the end of the letter, all that has been advanced by the Fathers, and even by the canonical writers, with some exaggeration, or words sometimes emphatical, and in a moral tho’ not logical universality.—This is precisely what has stumbled a vast number of heretics—”

CHARLES-ANTONY CASNEDI.

Theological Judgement.

T. 2. disput. 14. sect. 6. §. 2. n. 162. p. 390.

“ Except at the point of death, no body is obliged, nor even can believe, with a superlative faith, mysteries or a revelation, which is but probably proposed, or in a manner which is more probable. This is evident from the proposition condemned by Innocent the 11th,—or from the unanimous opinion of Divines, whose determination is, that the precept of faith is not binding, but when it is sufficiently proposed. Now Revelation is not sufficiently proposed, but when it is so evidently and prudently credible, that the contrary is by no means credible.”

The JESUITS of CAEN.

Philosophical Theses defended in the College of the Society of Jesus, in the most celebrated University of Caen, on the 4th and 5th of July, 1719. At Caen by Antony Cavalier, Printer to the King and the University.

Posit.

Posit. 32.

“ It is not commanded by any law, to direct all, or every one of our actions to any end whether honest or supernatural.”

J O H N M A R I R.

Speculative and Moral Theology.

Vol. 2. treat. 14. on Divine Faith. Disp. 5. sect. 1. n. 9. p. 371. col. 1.

“ I answer, that God may speak equivocally for a proper reason, and that this proper reason may be, 1. That his doctrine may not be despised. 2. That we may have recourse to the source of it.”

Ib. treat. 17. on the Incarn. disput. 12. sect. 1. n. 8. p. 592. col. 1.

“ In the second place I say, that it is certain, and even an article of faith, in my opinion, that the humanity of Jesus Christ was capable of sinning, at least in a distant manner; that is, that it had a remote power to sin, since it is an article of faith, that the humanity of Jesus Christ, was of the same nature with ours.”

C A B R E S P I N E.

Proposition, dictated in the College of Rhodes, by Cabrespine, a Jesuit, Professor of Divinity, related in the Laws and Pastoral Instructions of the Bishop of Rhodes, the 15th of March, 1722, and condemned by the same law.

P. 13.

“ It appears more probable, that man is not always obliged to act from an honest motive.”

“ The proof of this is, 1st. That the obligation to act always from a motive of moral honesty, is too heavy to be laid on man, unless it be self-evident, or supported by the most solid foundations : now both of these are false.”

L E M O Y N E.

Propositions dictated in the college of Auxerre, by Le Moyné, a Jesuit, and censured in the Statute and Pastoral Instruction of the Bishop of Auxerra, the 18th. Sept. 1725.

Propos. 1. p. 36.

“ A Christian acting deliberately, may act precisely like a man, and lay aside the character of a Christian, in the performance of such actions as do not properly belong to a Christian.”

C H A P. V.

On ROBBERY, STEALING, &c.

E M A N U E L S A.

Aphorisms.

On the Word Furtum, p. 161.

“ It is not a mortal sin privately to take from one, what he would give were it asked of him ; tho’ he did not choose to have it taken from him privately ; and it needs not be restored.”

“ It

"It is not theft to take a small thing from a husband or father privately; but if it is considerable, it must be restored.

"If you have received any thing which you doubt if it be your's, some say you are obliged to restore it, others deny that, because in the doubt, the condition of the one who possesses it is best."

"He who has done no injury, in taking what did not belong to him, because the proprietor had no use for it, is not obliged to restore it, if it can be of no use to the owner.

"He who has at different times stolen some small thing from one, is bound to restore it, when that which he hath thus stolen amounts to a considerable sum, though some deny this with probability."

FRANCIS TOLET.

Instructions for Priests, and a Treatise concerning the Seven Mortal Sins.

B. 5. ch. 15. p. 661.

"... When any one takes what is due to him by another, and which he would not pay him: for example, if a person privately takes from his debtor, the money which he owes him; in this case he does not steal, and is not bound to restore it, though he sometimes sins in taking it; and sometimes he does not sin, provided he observe certain conditions. 1. That he be very certain such a sum is due to him. 2. That he cannot demand payment of it before a judge, either because his debtor is a man of power, or because he cannot prove his claim, or because he is afraid his debtor may hurt or scandalize him. 3. That others may not receive any hurt or scandal by it."

Tr. de 7. Mortal Sins. Ch. 49. p. 1027.

“ If a person cannot sell his wine at its real value, either on account of the injustice of the judge, or the malice of his customers, who conspire together that few shall buy it, in order to lower the price, or perhaps the merchant may have some other reasonable cause, then he may lessen his measure, or mix his wine with a little water, and sell it for pure wine, and good measure, at the price of pure wine, provided he always avoid lying; but though he should tell a lie, it will be neither dangerous, nor mortal, nor will it oblige him to restore it.”

FERNAND REBELLE.

A Treatise on the obligations of Justice, Religion, and Charity, by F. Rebelle, a Portuguese, of the Society of Jesus, Professor and Chancellor of the University of Evora; dedicated to the R. F. Claudius Aquaviva, General of the Society of Jesus. At Lyons 1608. With permission granted by Antony Mascareñas, Provincial of the Society of Jesus in Portugal, in virtue of power which he had received from the General, in consequence of the approbation of Learned Doctors of the Society. And another permission of Lewis Richcome, Provincial of the Society of Jesus in Lyons.

This author is inserted with praise in the catalogue of the writers of the Society of Jesus. Allegambe, p. 111. Sotnel, p. 206.

Part 2. b. 14. qu. 15. n. 10. p. 794. col. 2.

“ Notwithstanding we do not deny that, if it were certain that for some former service, a more considerable fee was due to a servant according to the

the common rate at the time when he engaged with his master, and that he cannot conveniently recover it by law; in this case it will be lawful enough for him privately and without scandal to purloin whatever more of his stipulated wages than was due, provided he takes care to hinder his master, who is ignorant of this secret retaliation, from paying it over again."

VALERIUS REGINALD.

The Practice of the Court of Penitence.

Vol. 1. b. 10. ch. 18. n. 258. p. 571.

"We see then that servants cannot secretly take their masters goods by way of compensation, on pretence of their wages being too small, unless a prudent person think that they really are so."

Ib. vol. 2. b. 25. ch. 44. n. 555. p. 567.

"The last instruction, and of which confessors ought seriously to advise people, and if there be need for it, to instruct them in the method of restitution; it is, that servants may be excused both from the sin, and from restoring, when they take nothing but a just compensation: that is, when their masters not furnishing them with proper necessaries of food and cloathing, such as they had been used to get in other families, and which ought to be furnished to such servants, they take as much of their masters goods as will be sufficient to compensate them for that injustice, and no more.—Among the conditions of a lawful compensation, there is one especially to be observed, namely, that the thing due cannot be obtained but in that way."

JAMES

JAMES GRANADUS.

An entirely new commentary on the first part of St. Thomas's Theological Compend, by J. Granadus, of the Society of Jesus, Professor of Divinity in the College of St. Hermenegilde, at Seville. Vol. II. At Pont-a-Mousson, 1624; with approbation of Christopher Ruiz: and with permission granted by Francis de Aleman, Provincial of the Society of Jesus, in virtue of power given him by Mutio Vitelleschi, General of the Order, in consequence of the examination and approbation of some learned Doctors of the same Society. And with permission to print and publish this work, given by Philip Nicaut, D. D. Rector of the University of Pont-a-Mousson, and of the College of the Society of Jesus, founded in that University.

This author is inserted with praise in the catalogues of the writers of the Society. By Alegambe, p. 198. and Sornel, p. 366.

Vol. II. tr. 7. disp. 4. sect. 16. n. 36. p. 507.

“At present, I shall only add, that in some other contracts among men, there is usually an agreement or promise, not explicit or implicit, but honest, which is sufficient to found an obligation of justice: For example, when a person manages to advantage another man's business, and is not any way obliged to do it, and does not choose to do it for nothing, he who receives the service, is obliged to recompence him for his trouble by offering a reward; which if he should neglect, the other is permitted secretly to take this reward, provided he cannot obtain it otherwise. For though there was no promise in this affair, there should have

have been one, and the person concerned in the business was bound to offer a recompence."

JAMES GORDON.

Moral and Universal Theology.

B. 5. quest. 3. ch. 2. p. or col. 822.

"Of what value ought the thing stolen to be, so as to render the theft a mortal sin, and oblige the person to restore it."

"In the second place, I answer, and after the preceding induction, I have only to observe, that the opinion of P. Navarre appears to me most probable, who thinks, that, exclusive of the external hurt, of which afterwards, the stealing of about a crown, or twelve reals from a rich man, four reals from a man of a middle station, and seven or eight pence, or a real and a half from a poor man, is necessary to constitute a mortal sin. I speak agreeable to the common value in Europe."

Ib. ch. 4. p. or col. 826.

"It is certain that sometimes, even often, a son is not to be thought guilty of a mortal sin, and obliged to restore when he steals something from his parent, though in this he may be guilty of a heinous sin. 1st, A child, I say, is not chargeable with a mortal sin, when he has any probable reason to believe, that if his father had been asked, he would willingly grant what he takes; for then it is not acting contrary to the will of the owner, with respect to the thing itself, but only with respect to the manner in which it is obtained. . . . 3d. If he steal for a pious use, to give it in alms to one who is in great need: for then the father
can-

cannot reasonably refuse it. 4th. If what he steals from his father be to procure himself some innocent recreation, proportionable to his station. . . . Ib. p. 827.—It is certain also that a wife who steals something from her husband, ought not, in some cases, to be reckoned guilty of a mortal sin, and bound to restore, though she be even guilty of a heinous sin. In the three first cases in which a son is excuseable, a wife is equally to be excused; though what she stole be part of the goods which her husband has by property, profits, or administration.—6th. She may, besides that, make some donation, according to her station, and the custom of other women. 7th. She may give alms, either for the spiritual wants of her husband, (and then she would be doing him a service,) or according to the custom of other women of her station; and if her husband forbid her, it is supposed he only forbids her to go to excess with it. This is the common opinion of the doctors.—Finally, if the husband dissipates the goods which they have in common, (the half of which belongs to the wife besides her portion,) and the wife be afraid of having a law-suit about it with her husband's heirs, if she survive him, she may make it up by a secret and honest compensation."

PETER ALAGON.

Abridgement of St. Thomas Aquinas' sum of Theology, by P. Alagona, Theologian of the Society of Jesus, at Paris 1620, at Rouen 1635.

On the 2. Second. qu. 66. edit. 1620.

p. 365. edit. 1635. p. 351.

"Qu. Is it lawful for one to steal out of real necessity? Ans. It is lawful either secretly or openly,
if

if he has no other way to supply his need: then it is neither theft nor robbery; according to the law of nature, all things are common. It is lawful even for a third person to steal from another, to supply the wants of a neighbour in such a case."

JOHN DE DICASTILLE.

On Justice, and the other Cardinal Virtues.

B. 2. tr. 2. disp. 9. n. 162. p. 527.

"—Therefore, if the master does not give such things, at least in a moderate way, and according to the custom, the servant is not to blame, if, after having asked a competent sustenance (when he can do it without shame, inconvenience, or danger,) and it is not granted him, he take something privately to compensate that loss, because he has taken nothing but what was his due, and was not paid him; and though he had asked it before a judge, he might either not have been heard, or it might have cost him more expence to obtain, or more trouble from his master than the thing was worth. Thus, Molinus and others, formerly quoted, determine this point."

FRANCIS AMICUS.

A Course of Theology.

Vol. V. disp. 38. sect. 4. n. 47. p. 587.

"He who has stolen a considerable sum, is not obliged, under pain of its being mortal, to restore the whole; but it is sufficient to restore as much of it as will hinder his neighbour's loss from being considerable: for example, if the theft is a florin, it is not necessary to give back the whole florin, but

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it

it is sufficient that the thief restore four or five drachms, as by that the loss will be inconsiderable."

JOHN D'ALBA, instructed by the Jesuits.

Extract from the Registers of Criminal Causes of the Chatelet of Paris, April 6th, 1647.

" John d'Alba, aged 35 years, of Hondeneller in Lorraine, being sworn, deposed, That he had been fifteen years in the service of the Jesuits, but that he had made a voyage to Loretta, and afterwards to his own country; that he had employed himself in studying philosophy and theology; that three years before that, he had again entered into the service of the said Jesuits, from whom he had letters, which were in the hands of M. de Cou-dray, which shewed that they owed him thirty crowns; that when he again entered their service, they promised him an hundred livres of wages; that he had founded plates of pewter, and that he had taken them to pay his wages; he denies that that was stealing, but that he followed the instructions of the Jesuits, who say that a servant may take his wages at his own hand; and that he had taken these which were of little value, but he intended to diminish the whole when they paid him."

JOHN DE LUGO.

On Justice and Right.

T. 1. disp. 16. sect. 4. §. 2. n. 93. p. 412.

" —If I know then that you are disposed to refuse me payment in a month, and that I cannot avoid this loss, but by being beforehand with you, in taking what is your's, to defend myself, I may
do

do it, nor is there any thing in it, exceeding the lawful defence of my affairs: for if I know that you are to come to steal 100 crowns from me to-morrow, who will say that I may not take as many from you to-day, as will indemnify me for the theft you are to commit to-morrow."

STEPHEN BAUNY.

A Summary of Sins.

On Robbery. Ch. 10. p. 143.

"Quest. 10th. Of several robberies, small in themselves, can one spring which will be mortal? For example, suppose one take from different persons, at different times, a penny: it is asked, if in stealing these small petty sums, there may be a mortal sin, and when?"

"The common opinion is, that the last action, by which we take what is necessary to make up the sum, stiled robbery, renders it mortal; that such an action can deprive a man of the favour of God, and consequently must put it among the number of mortal sins. This is the sentiment of Salas—Filiucius—Nevertheless, with their leave, I will venture to say; 1st. That the last robbery, which is supposed to be small, as well as these which went before, is only venial.—For the action takes its essence from the object, and the robbery, from the injury which is thereby committed against a person—Emanuel Sa on the word *furtum*, (theft) n. 8. supported by this foundation, says, that it is very probable, that he, who has at different times stolen a little from one, when it makes up a considerable sum, is not obliged under pain of eternal damnation, to restore any of it again.—Now

these small robberies, which are committed at different times, and one or different persons, however large the sum may be, will never be mortal, &c."

N. LONGUET.

Propositions dictated in the Jesuits College of Amiens, by N. Longuet, Professor of Cases of Conscience, in 1654 and 1655. According to the Extract annexed to the Petition and Memorial presented to the Bishop of Amiens, by the Curates of his Diocese, on the 5th and 27th of July 1658.

On the 7th commandment, *Thou shalt not steal.*

Quest. 1. anſ. 4.

" If parents, being asked and entreated by their children, should refuse them any thing, they may steal from them, whatever custom or their condition allows, for their moderate pleasure and recreation."

Ib. qu. 5.

" A person is not guilty of injustice, nor is he bound to restore, when he receives money to kill or beat one, or for any other unjust action."

Quest. 11.

" When one person is so poor, and another so rich, that he who is rich may be obliged to help him who is poor, he may secretly, and even with propriety, take the other man's goods without either sinning, or being obliged to restore them.

" A bankrupt may keep back for himself and his family whatever is necessary to support them in a moderate way. His wife and children may
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do the same, nor are they bound to restore with so great a loss."

SIMON OF LESSAU.

Propositions dictated in the Jesuits College at Amiens, by S. de Lessau, Professor of Cases of Conscience, in 1655 and 1656. According to the Extract annexed Petition and Memorial, presented the 5th and 27th of July 1658, to the Bishop of Amiens, by the Curates of his Diocese.

On the 4th Prec. of the Decal. art. 7.

" A wife, even when her husband forbids her, may contract, give alms and legal donations, and spend money for innocent recreations, or ornaments."

On the 7th & 10th Prec. of the Decal. art. 1.

" Servants or others do not commit any sin, when they take something, from a presumption of their master's being willing to give it, because they rationally persuade themselves, that their master will not be unjust.

" A son does not sin, when he steals something from his father against his will, to supply the pressing necessity of a neighbour.

" If children really believe that their parents would have given them what they stole, if they had dared to ask it, they are not bound to restore it, when such is the custom of people of their station."

ANTONY ESCOBAR.

Moral Theology.

Vol. 4. b. 34. sect. 2. probl. 25. p. 352.

" A servant who can at law obtain what his master owes, but refuses to pay him, according to some, may

may not take it privately, but according to others he may, without being guilty of theft. I am of the last opinion, and I believe it matters not that he can obtain his debt at law, when it is his own that he recovers in the other way, and does not take what belongs to another; nor does he sin any more in retaining it, as it is his own."

Vol. 5. part 1. B. 37. sect. 2. p. 42. n. 98.
doubt 7.

"Suppose one person has wronged another, and that is ascribed to one who is innocent of it, is the first bound to make up any loss the innocent person may suffer? For example, Peter has killed John, or stolen his effects; this murder or theft is imputed to Antony. Is Peter obliged to make up the loss which Antony sustained by that imputation? Ans. Peter is not obliged, though he might probably judge that Antony would suffer loss by it—I adopt this opinion, and add that the decision is just, even though Peter had had an intention to bring this loss on Antony.—This is the doctrine of Lessius, to which Bonacina and others strictly adhere—In reality, the bare intention of injustice, without the external act of it, does not bind to restitution."

AMADEUS GUIMENIUS.

A Treatise concerning Sins.

Prop. 12. p. 25.

Vasquez, a Jesuit, asserts, that a theft of 30 reals is a greater sin than Sodomy—He reasons thus, "The greater sin is that which is opposed to the greater virtue; but theft is opposed to justice,
which

which is the greater virtue, and sodomy is opposed to chastity, which is the lesser: therefore theft is the greater sin."

JOHN DE CARDENAS.

Theological Judgement.

Differt. 23. ch. 3. art. 4. p. 489. n. 105.

"We must know that the measure of moral greatness or littleness depends on the judgement of prudent persons."

Ib. n. 106.

"Theologians differ in their opinions about the sum, which is sufficient to constitute a mortal sin. The first is that of F. Thomas Sanchez; b. 7. ch. 20. n. 3. where he thus expresseth himself. At present the most common opinion is, that in Spain, the theft of four pistols is sufficient to constitute a mortal sin; and in the n. following, he adds, If the theft be committed on a prince, the sum must be more considerable."

Ib. p. 491. n. 114.

"When there is a long space of time between the commission of these small thefts, with respect to the same person; in order to constitute a mortal sin, or an obligation to restore it under pain of a mortal sin, the sum must be double that which was sufficient, if it had been taken all at once."

This is the decision given by Sanchez Navarre—Graffis—Rebellus—Lessius, &c. Sanchez, in a quotation from Lessius, gives a reason for it; because people are not so much troubled, when at a great distance of time some small trifles are taken from them, as when they are all taken in a short time, or at once."

CHARLES-

CHARLES-ANTONY CASNEDI.

Theological Judgement.

Vol. 1. disp. 6. sect. 2. §. 2. n. 87. p. 178.

“ God only forbids theft, in as far as it is looked upon to be evil, and not when it is known to be good.”

DOMINICUS VIVA.

Propositions condemned by Alexander the 7th, Innocent the 11th, and Alexander 8th, brought again to the Theological balance, and tried by the weights of the sanctuary. The 4th. edit. corrected carefully by F. Domin. Viva, of the Society of Jesus, Professor of Divinity, in the College of the same Society in Naples.

At Padua, 1713. With permission granted by Thomas Capanus, Provincial of the Society of Jesus in the kingdom of Naples, in virtue of power given him by L. M. Angelo Tambourin, General of the Order, after it had been examined and approved by some Theologians of the same Society chosen for that purpose.

Part 2. p. 93. n. 12.

“ — He who hires another's service consents to fulfil the laws of hiring, which likewise demand a proper recompense; whence it follows that he who, thro' necessity, lets out his service for wages by far too low, may without the least injustice, supply that by secret compensation.” —

JOHN

J O H N M A R I N.

Speculative and Moral Theology.

Vol. 3. tr. 22. disp. 4. p. 208. n. 44.

“ Moreover, Angest. in his Morals, ch. 9: Henric; practical quest. sect. 9. qu. 7. n. 12. Navarre's lat. Summ. ch. 7. n. 130, and 140. says, that it is not a mortal sin, in small thefts, to steal from different persons a considerable sum, provided a considerable part of it be not taken from the same person. Navarre and Vasquez think this assertion is perhaps probable.”

N. C H A R L I.

Propositions dictated in the College of Rhodes by N. Charli, a Jesuite, Professor of Theology: related in the decree of the Bishop of Rhodes, 19th. Oct. 1722, and censured in the same decree, after the said Charli had refused to retract plainly and precisely.

Prop. 1. p. 5. of the Censure.

“ A pinching necessity is that, where the need is so great, that the person is really in danger of considerably shortning his life; or falling into some great disease; in the case of a gentleman, if he is reduced to the necessity of working to serve another; in the case of a tradesman, or honest man, if he is reduced to beggary.—Tho' a person take what belongs to another, he may be excused from theft, not only in case of *extreme* need, but even in a *great* need, at least if it be *very great*.—The proof is—because it is easy to descend from the *great*

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necessity

necessity, to the *extreme*: therefore what is lawful in the *extreme* necessity, may be extended to that which is *great*, at least if it be *very great*.

JOHN BAPTIST TABERNA.

A Compend. of Practical Divinity.

Vol. II. tr. 2, ch. 30, p. 276.

“ — Theft does not essentially consist in taking what belongs to another in general, or in the abstract, but in taking it contrary to the will and consent of the owner.”

Ib. p. 281.

“ Qu. 6. If, and on what conditions is it lawful to use this secret compensation ?”

“ I call that secret compensation, when you take or retain from one without his knowledge, and by your own authority, as much as of his property as he owes you.”

“ An. This compensation is lawful on the following conditions.”

“ 1st. When your property is in the hands of another without any just title on his part; for if he has any good reason to retain it; for example, by way of pledge, loan, &c. you cannot take it again secretly, and if you do so, you are bound to restore it. 2d. When you cannot recover your property or debt by any other way, as, at law, or without a great deal of trouble. Some authors are of opinion, that he who has not observed this condition, is not in conscience bound to restore it. Diana even adds, that sometimes he does not sin at all in that case.” See his Miscell. p. 2. tr. 2. Resp. 48.

“ 3d.

“ 3d. When it is a debt of justice, and not of pure gratitude.”

“ 4th. When the debt is certain, at least morally so.”

“ 5th. When it is an actual debt, and not future, however if the term of payment, E. G. a month, be nearly expired, and you see that you will never be paid, without secret compensation, it is probable that you may take it at present. In this case Lugo adds, that care must be taken that the debtor suffer no loss by this anticipated compensation : care must also be taken to suffer him to pay the debt twice.”

C H A P. VI.

On M U R D E R:

E M A N U E L S A.

Aphorisms on the Word *Homicidium*.

Page 179.

“ If you have no other way to escape, you may before hand kill him who is preparing to kill you; for then it is self-defence. We are not then to be condemned for killing those who otherwise would have killed us. This is the opinion of Sotus.—It is also lawful to kill one who is fleeing away, if it be necessary for the defence of your honour, which otherwise you considerably lose. Some doctors are of this opinion, others deny it, both however men of learning.”

P. 180.

“ He who is permitted to kill another, may take with him accomplices. And for the defence of his country, he may even kill his father.”

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H E N R Y

HENRY HENRIGUEZ.

Compend of Moral Theology.

Vol. 1. B. 14. ch. 10. n. 3. p. 869.

" If an adulterer, even a clergyman, being sufficiently apprized of the danger, goes into an adulteress, and is surprized by her husband, kills her husband to defend his life or members, he does not seem to have been guilty of any irregularity."

FERNAND REBEL.

A treatise on the obligations of justice, religion, and charity, by F. Rebel, of the Society of Jesus, a Portuguese of the diocese of Lamego, professor and chancellor of the University of Evora. Dedicated to the R. F. Claud. Aquaviva, general of the Society. - At Lyons, 1608.

Part 1. B. 3 Quest. 12. n. 10. p. 158. col. 1.

" — Tho' afterwards I might easily recover my goods, I do not think that in killing the aggressor, to defend them, I commit any sin against justice, nor am I bound to make restitution, if I could not defend them otherways, nor does it alter the case whether I be a layman, or a clergyman. The reason of this is, that the aggressor had no just title to my property, to take it against my will; but he endeavoured unjustly to carry it off; therefore I may justly defend it with as much hazard to the life of the aggressor as I may judge necessary. This is the opinion of Cajetan and Soto."

JOHN

JOHN AZOR.

Vol. 3d. Of Moral Institutions, by J. Azor of Lorca, theologian of the Society of Jesus, at Lyons, 1612, with permission of Claudius Aquaviva, general of the order, after it had been examined by four Theologians of the society; and another permission by Lewis Michael, provincial of the society in the province of Lyons.

He is commend^d in both catalogues of the writers of the society. In Alegambe, p. 221: In Sotnel p. 406. Mor. Instit. part. 3. ch. 1. p. 105.

“ In the fourth place it is asked, if we may lawfully kill one for the defence of our honour. For example, a man has attacked another, and he may escape by flight; is he bound to provide for his safety by flight, when that will be disgraceful to him, or may he not lawfully put to death the person that attacks him, in order to avoid a shameful flight?—The second opinion is, that which maintains that it is lawful in such a case to kill the person, both by natural and divine right—and thus this second opinion is more probable.”

P. 106.

“ In the 25th place it is asked, if it be lawful for the state, for the safety thereof, to deliver into the hand of an enemy an innocent citizen, whom it is certain he will put to death.—P. 107.—But it appears to me more probable, that it is lawful, namely to deliver into the hands of a tyrant, an innocent citizen, not that he may be put to death, for that is not lawful; but for the safety of the state,

state, tho' they know that the tyrant will kill him."

VALERIUS REGINALD.

Practice of the Court of Penitence,

Vol. 2. B. 21. ch. 5. n. 57. p. 262.

"You are about to give in a false witness against me, from which it will follow that I shall be sentenced to die, and I can by no other means escape it; it is lawful for me to kill you, as if I do it not, you will kill me; when in such a crisis it is no matter whether you kill me with your own sword, or that of another, namely, the executioner's."

ADAM TANNER.

Scholastic Theology.

This author is highly commended in the catalogues of the writers of the Society of Jesus: in that of Ribadeneira, p. 4. in that of Alegambe, p. 4. and in Sotnel, p. 6.

Vol. 3. Disp. 4. qu. 8. n. 83. p. on Col. 1249.

"Assertion 7. It is even lawful to prevent an unjust aggressor, if a person has no other convenient mean of defence, and if he has already been actually guilty, or had an intention to attack unjustly: this is not lawful, if he be still innocent. Valentia and Sa are of this opinion."

LEONARD

LEONARD LESSIUS.

On justice and right, and the other cardinal virtues, by L. Lessius, of the society of Jesus, professor of theology in the University of Louvain. At Paris, 1628. With permission of F. Oliv. Mahare, visitor of the society in Belgium, in virtue of power given him by Cl. Aquaviva, general of the order, after the approbation and examination of some Theologians of the society.

He is inserted with praise in the Catalogues of the writers of the society of Jesus. Ribadeneira, p. 166. Alegambe, p. 301. Sotnel, p. 350.

B. 2. ch. 9. p. 93. n. 44.

“ — Nevertheless, if they do not choose to fly, they will not be guilty of any sin against justice, tho’ they even kill the aggressor, and preserve a lawful moderation.—If I cannot flee without exposing my life or honour, it is lawful for me to prevent you ; for I am not bound to wait till you have struck me.”

P. 97. n. 68:

“ If however it would be a disgrace to you not to seize the thing from the thief, you may endeavour to recover it, and if it be necessary, even to put him to death ; for that would not be so much in defence of the thing stolen as of your honour.”

P. 98. n. 70.

“ The same may be said, when one cannot without great trouble recover his goods at law.”

“ You will ask, if it is contrary to justice to kill
a thief,

a thief, who has fled far from you, when you might recover your stolen goods at law? I answer, that it appears more true, that it is not contrary to justice."

G A S P A R D H U R T A D O.

A treatise on the Sacraments and Censures.
Disp. 2. on irregul. Diff. 10 n. 35. p. 634.

"The doctors agree that he who, in defence of his life kills the person who attacks him, is not guilty of any irregularity, while he keeps himself within the bounds of a just defence; that is, when it is necessary to kill him in order to secure his own life.

N. 36.

"We believe that doctrine to be true, even when the person who has killed the other, gave him reason to attack him, either by committing adultery with his wife, or by giving him bad language."

"We also believe this doctrine to be true, even when the murder is only in defence of our temporal goods, or our honour, or riches of importance, or our innocence."

"It must be observed (with Snarez and Cægidius) that he who has murdered an unjust aggressor, is not guilty of any irregularity, when he could not avoid it, but by a shameful flight: (which is usually the case with laymen, but not clergymen, and especially with noblemen. The reason of which decision is, that in this case, one is not bound to spare the life of an unjust aggressor, with so great personal loss.

STEPHEN

STEPHEN FAGUNDEZ.

On the Precepts of the Decalogue.

Vol. i. b. 4. ch. 2. n. 7. p. 501.

“ According to the doctrine of Toletus, christian and catholic children may accuse their parents of heresy, though they know that on that account, they will be burnt and put to death.”

Ib. ch. 4. n. 1. p. 659.

“ It is lawful for every man, even clergymen or monks to kill another person, in defending a neighbour, if they could not defend him otherwise, preserving, at the same time, the moderation of a just defence: nor are they guilty of an irregularity, or liable to excommunication, whether the aggressor they have killed be a clergyman, or whatever he be.—This opinion, according to Suarez and Lefse, is so true, that we ought to follow it even when our neighbour does not chuse to be defended; because, not being master of his own life, he cannot hinder others from defending it.”—

Ib. p. 660. n. 6.

“ Finally, according to them, the same thing may be said with regard to the defence of our neighbour's honour.”

Ib. ch. 6. n. 6. p. 667.

“ It may be doubted here, if it is lawful for every one, having no other means of escaping the danger, to kill the person who in law seeks to take away his life, by false witnesses, accusations and complaints, imputing to him the crime of heresy, or any other, for which he would be condemned

to death by the judge. Some affirm, others deny that it is lawful; but the proper resolution of this doubt depends more on the judgment of a prudent man, than the decision of the law.—We do not, however, deny that, in matters of speculation, the first opinion is probable.”

Ib. n. 14. p. 672.

“ If we speak of the case and circumstances, when it is lawful to defend our neighbour, by killing the person who unjustly attacked him, it also appears evident that we may lawfully charge another with this defence and murder.”

Ib. vol. 2. b. 8. ch. 32. n. 5. p. 390.

“ If a judge be partial, and act contrary to the order of the laws, then certainly a criminal may defend himself by striking, and even killing the judge; because, in this case he ought not to be considered as a judge, but an unjust aggressor and tyrant.”

— FRANCIS AMICUS, Chancellor of
the University of Gratz.

A Course of Theology, at Douay, 1642.

Vol. 5. disp. 36. sect. 5. n. 75. p. 537.

“ —Moreover, if this murder can be committed without scandal, it would not be unlawful, and this is all which authors of a contrary opinion contend for.”

N. 77. p. 538.

“ —An adulterer, being surprized in the very act, may defend himself in like manner, as well
against

against the husband, as against the father of the woman with whom he is guilty, because they are not supposed to attack this adulterer by public authority."

N. 118. p. 544.

"It cannot, however, be denied, that clergymen and monks may lawfully defend, at least that honour and reputation which springs from wisdom and virtue, and which is the only true honour: and it is a lawful defence, in as far as it respects the honour of their profession, of which, if they are deprived, they lose a very great blessing, and their best ornament. For it is by this they acquire esteem and respect from the laymen, whom they can direct and aid by their wisdom and virtue, whereas without it they can do none of these. Therefore, if they keep within the bounds of a just defence, they may at least maintain this honour, even by the murder of him who attacks it, because the law of charity sometimes obliges them to support this honour, when, in consequence of their losing it, the whole order is reproached. If then they have no other way of defending themselves or their order from unjust aspersions and atrocious accusations, they may lawfully prevent them by killing the promoter of them."

Ib. sect. 8. n. 131.

"In the third place it follows, that it is lawful not only to defend the goods which we actually possess, but even those to which we have begun a title, or hope for. Wherefore it is lawful not only for the heir, but also the legatee to defend himself against him who unjustly hinders either his taking possession of the inheritance, or the payment of the legacy. In the same manner as he

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who

who has a right to a chair or a prebend, may restrain those who would unjustly hinder him from taking possession of them."

A I R A U L T.

Propositions dictated in the College of Clermont at Paris, by N. Airault of the Society of Jesus, Reader of Moral Theology, called Cales of Conscience, according to the Verbal Process from the Collection of the Writings of Airault, made at the request of the University of Paris, dated the 21st August, 1643, and 11th January, 1644, by Michael Charles, Commissary of the Chatelet of Paris; printed in the Collection of the Censures of the Theological Faculty of Paris. At Paris 1720.

Cenf. p. 319. & 320.

"If you endeavour to ruin my reputation by calumniating it before a prince, a judge, or any persons of honour, and I can in no other way avoid it, but by secretly killing you; may I do it.

"According to Bannez, I may, even though the crime you publish be true, if it was always secret, in such a manner that you could not discover it in a legal way."

Cenf. p. 322.

"Is it lawful for a woman to procure herself abortion? If a virtuous girl had been deflowered against her will, by a young libertine; before the child be animated, she may rid herself of it, according to the general opinion, for fear of losing her honour, which to her is more precious than life itself."

Cenf.

Cens. p. 327.

“ Is it lawful for a married woman, who in child-bed is always in great danger of her life, to take drugs to promote barrenness, that she may avoid that danger? I answer, It is lawful; because being urged by this just reason, she in this manner preserves her life; and indeed it is much better for her to do that, than to refuse her husband the conjugal duty, and endanger her salvation.”

JOHN DE LUGO.

On Justice and Right.

Vol. 1. disp. 10. sect. 6. n. 149. p. 268.

“ We may seek after, and have in view all that is necessary for the defence of our life; but only striking is not always sufficient for this purpose, even the death of our enemy is sometimes necessary, because that, by reason of the obstinacy of his temper, he will not give over attacking us, either by his own hand or others, if he is not put to death. We may then have an intention to kill him, not only as an accident arising from the blows we give him, but in a direct manner, because nothing less than his death could properly defend us.”

Ib. sect. 7. n. 160.

“ An internal offence is not really a sufficient ground for a judge or any human law to inflict punishment.—But to put you on your defence, it is sufficient that your enemy have an intention to kill you.”

N. 161.

"Hence infer ist. what must be said when you know that any one has a design on your life, and that he has conspired with some others to kill you in an ambush, a danger you cannot escape but by killing him who is thus for assassinating you—For every one is not so holy as David, who, having it in his power with impunity to kill Saul, who unjustly pursued him to take away his life, chose rather to abstain from that murder. And Molinus, in general, teaches, that it is lawful to kill him who has resolved to kill us, when there is no other way to escape that great danger of death, with which we are threatened in consequence of this resolution."

STEPHEN BAUNY.

Of Sins against the Love of our Neighbour.

Ch. 7. p. 77. conclus. 4.

"A person may always wish evil to his neighbour without sinning, when he is urged to it by a good motive; thus Bonacina, on the first commandment, clears of all sin, the mother who wishes the death of her daughters; because on account of their ugliness, or poverty, she cannot get them married, according to her desire; or because on their account she is abused by their father—For, properly speaking, she does not abhor her daughters from her displeasure with themselves, but in detestation of that evil above mentioned.

"In like manner one may lawfully wish any evil to a wicked person, such as his death: not indeed by wishing it in as much as it is an evil to him, but as it hath any appearance of good; but in

in as much as it will let him see his designs come to nought, and the opportunities he had of offending God, to be but vanity."

ANTONY ESCOBAR.

Moral Theology.

Vol. 4. b. 32. sect. 2. probl. 5. p. 274.

"According to some it is not lawful, and according to others it is lawful to kill a false witness, who goes to testify against you, and on whose testimony your life and honour may be called in question."

No. 70.

"I think the last opinion is most probable, and add, that it ought also to be extended to the accuser, if by false charges and subordinated witnesses, in a court of justice, he attack the life of any one, when he has no other means of escaping. I know that Bannez, and Hurtado de Mendoza, want to comprehend in it also the case where an accuser or false witness not only attacks our life, but also our temporal goods.—If then the accuser or false witness is on his way to the judge, and though advised will not turn back; he who is injured may lawfully kill him, in defence of his life and goods, if he cannot otherwise accomplish it."

Ib. probl. 17. p. 278.

"It is, or it is not lawful treacherously to kill an out-law."

No. 107.

"I think that the former opinion is most true. For if the out-law know that he is out lawed, he
is

is already as it were condemned to die, and ought to reform his life, unless he wants to run the risk of a certain condemnation. But if he is ignorant of his sentence, he who treacherously kills him, in like manner does not know but he may still be engaged in the same crimes, and having the public good at heart, is not bound to attend to a private interest."

Ib. n. 159.

"—If you employ your servants or the magical art to attack or steal my property, and I have no other way of hindering that encroachment, but your death—I may lawfully, and with impunity kill you; because what we do by the instrumentality of others, we are reckoned to have done ourselves. This is the doctrine of Lessius."

Ib. probl. 34. p. 285.

"Persons of a mean station, or mechanics, are bound, or they are not bound to fly when they are attacked by another, and must not kill the aggressor."

Vol. 6. b. 49. sect. 2. n. 404. p. 170.

"I agree with the last opinion, with this addition, that it is not only lawful to accept or give a challenge, but you may secretly kill him if you have no other way to avoid the danger, because then it is not so much murder as self-defence, according to Navarre and Sanchez. These doctors even say that you are bound to refuse a challenge, if you can privately kill your adversary, because by that you do not expose yourself to the danger of losing your life."

A M A-

AMADEIUS GUIMENIUS.

On Sins.

Treat. on Charity. Prop. 7. p. 86.

"If any one brands your character with false and infamous aspersions, you may lawfully say to him, Thou art a liar."

No. 3.

"—Moreover, if you may kill a man in defence of your honour, as Sotus, and others maintain—why may you not call him a liar?"

JAMES PLATELLIUS.

A Compend of a Course of Theology.

Vol. 2. part 2. ch. 3. §. 5. p. 166. n. 287.
at the end.

"If any one is so stupid as invincibly to think that the desire of committing murder is not a sin; he will not be guilty of any sin in desiring to commit it."

JOHN DE CARDENAS.

Theological Judgment.

Diff. 10. ch. 1. p. 287. n. 8.

"In the third place, I take it for granted that it is also lawful, and is not condemned, to desire the death of another, even for the great temporal good of a community, or of the church, because the public good is preferable to that of any private person."

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No. 9.

No. 9.

“ In the fourth place, I take it for granted, that it is not condemned, but is lawful to desire the death of one by which we may avoid a great evil which impended any of our relations, kinsmen, or friends, or even the person who desired his death.—Thus a father may lawfully wish for the death of a husband who greatly abuses his daughter, if there be no hopes of his reformation.”

No. 10.

“ In the fifth place, I take it for granted that the understanding may separate and abstract the death of a father from his property, which is the heritage of his son. Thus a son may lawfully rejoice in the heritage which comes to him by the death of his father, without rejoicing in that death: for the will may make the same distinction that the understanding does; and if the mind can separate two attributes which are united to one another, it may with better reason separate two which are really distinct, namely, the inheritance, and the death of a father.”

JOHN MARIN.

Speculative and Moral Theology.

Vol. 3. tr. 23. disp. 8. sect. 5. p. 428. n. 63.

“ The 34th proposition was justly condemned by Pope Innocent XI. viz. “ That it is lawful to procure abortion before the child be animated, that the girl who is pregnant may not be exposed to death or infamy.”

Ib.

Ib. n. 66.

“ Perhaps the doctrine in that proposition may be admitted in order to shun infamy, in a case where that is the sole and necessary mean to hide the crime, and shun the infamy.”—

Ib. n. 67.

“ And perhaps he will not be damned, who says that abortion is lawful, not for shunning the infamy that arises from it to the person herself, but to a religious society with which she is connected.”

Ib. p. 429. n. 74.

“ It is difficult to decide whether the child probably being animated, it is lawful for a woman, in consulting her safety, to take some drugs by which she morally knows the child will perish.”

Ib. n. 75.

“ Navarre, Banez, Henriquez, Sa, Sanches, and others, say, that it is lawful for a woman not only to let blood, but also to use other remedies which are necessary for preserving her life, though the child should perish by them. And I too am of that opinion, which is so true, that, when these drugs are equally useful to the mother, and hurtful to the child, she may use them.”

LOUIS MOLINA.

On Justice and Right.

Vol. 3. dif. 2. p. 1758. edit. Antwerp. et
Genev. edit. vol. 4. p. 33.

“ Moreover, that does not hinder, when a man
acts

acts in such a manner as to make a person believe that he means to take his life, or when he approaches in such a manner as to make him rationally suspect he has some bad intention, from advising him to desist, and not to come near him, at the same time telling him that he has sufficient reason to fear some wicked design of his: but if, after being advised, he will not desist, he may then be killed as an unjust aggressor.

Ib. p. 1760. n. 2. edit. Antwerp. edit. Gen.
vol. 4. p. 3.

“ I think it ought to be said, that in general it is lawful to kill the person who has resolved to take away our life, when by no other means we can avoid death or an imminent danger with which we are threatened by the injustice of a man who is determined to kill us.”

FRANCIS XAVIER FEGELI.

Practical Questions concerning the Duty of a Confessor.

Part 4, ch. 1. qu. 7. n. 8, p. 285 & 286.

“ —Nor is it a sin, at least a mortal one, for parents to wish themselves dead, to avoid some great evils, such as inward affliction, beggary, and laborious life; or to wish death to their children, for fear, in some future period, they should perform some disgraceful action, or because, on account of their poverty or deformity, they should not spend their lives agreeably and comfortably. Nor is it sinful to wish for the death of a person, who would thereby cease to trouble the church, or

occasion some great loss, because a considerable good is the direct and immediate object of such a wish."

THOMAS TAMBURIN.

An Explication of the Decalogue.

B. 5. ch. 1. §. 3. n. 29. edit. Lyons. P. 9.
a Venice, p. 142.

" May a son wish the death of his father that he may get possession of the heritage? May a mother desire the death of her daughter, that she may not be obliged to bring her up and give her a portion? May a clergyman wish for the death of his prelate, that he may succeed him, or be delivered from this prelate who always opposed him, or such like things? If you only desire, or gladly receive the report of these events; namely, a succession to an inheritance, the end of your troubles, a prelateship, &c. the answer is easy, for you may lawfully desire and receive these things, because you do not rejoice in the misfortunes of others, but in your own good.

Ib. b. 6. ch. 1. p. 2. n. 2. p. 39.

" —In a word, the goods in defence of which we may kill any person, ought to be of great importance, either in themselves, or in the value that is put upon them, or in the loss that we sustain by the want of them, &c."

BUZEMBAUM, and LA CROIX,

Vol. 1. p. 163.

" It is lawful to desire the death of a neighbour,

bour, or to rejoice in it, when from it there results even a great temporal good to the public, or to the church, which could not have been obtained in any other way. For example, I may lawfully wish for the death of the Turk, rather than that he should enslave the church or Roman empire; and the reason is the same, because it is proper to prefer the public good to private interest, and I ought to consider the good of the society, of which I am a member, as the public good."

C H A P. VII.

ON PARRICIDE AND MURDER.

JOHN DE DICASTILLE.

On Justice and Right, and the other Cardinal Virtues.

B. 2. tr. 1. disp. 10. n. 15. p. 290.

"It may be asked if it is lawful for a son to kill his father who is outlawed? Many of our authors maintain that it is, among whom are Barthol. Gomez, and others.—If a father were hurtful to the state, and to society, and if there was no other way of hindering him from being offensive, I would approve the opinion of these authors."

Ib. p. 292. n. 30.

"We may hence infer, that to repel force by force is lawful for children against their parents, slaves against their masters, vassals against their princes, when they are unjustly attacked, observing the conditions already mentioned—The same may be said with regard to monks and subjects, in relation to their abbots and superiors. This is a very common opinion."

No. 31.

No. 31.

"We may also infer that one may, keeping himself within the limits of a blameless defence, kill the constables or public servants, if they unjustly attempt to kill an innocent person, or to take him that he may suffer an unjust death, provided they know that he is innocent."

No. 33.

"Objections have been raised against this doctrine, from some texts of scripture, in order to prove that it is not lawful to kill a man in self-defence: for example, they quote Mat. xxvi. 52. Where Christ says to Peter, when endeavouring to defend his divine Master and himself, "Whoever takes the sword, shall perish by the sword;" and Rom. xii. 19. "Dearly beloved, avenge not yourselves, but rather give place unto wrath." These and the like passages have different meanings: for they may be understood either of vengeance, or of an unnecessary defence, as Peter's was, or of a real attack, as Augustine explains it, according to the testimony of Lessius, formerly quoted. And, indeed, in the scriptures, the term to defend one's self, usually signifies to attack, or begin a war."

Ib. disp. 12. app. 1. doubt 6. n. 545. p. 680.

"In the third place, I assert, that the imprecations used in wishing for an evil, under the notion of a good; that is, in as far as this evil is necessary or useful in promoting the good, either are not sins, or at least they are not mortal sins.—1st. With regard to justice, or the zeal that one has for it—2d. On account of some common good, for which reason it is lawful to wish the
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conversion or death of Turks, heretics, and tyrants. 3d. For the honest or profitable good of the person on whom the evil is imprecated, or even for the good and advantage of another, if such a good is maliciously hindered by the person on whom these imprecations fall."

Ib. n. 546.

"—I would not, however, consider as a mortal sin, the joy and satisfaction of a son at the death of his father, when that joy has not for its object this death abstractly taken, and in as far as it is an evil to his father, but as it is a mean of obtaining the inheritance: and I would not too severely blame the desire that this death may happen in a lawful way, that is, by the will of God, not as it would be an evil to the father, but as from it the son would reap advantage."

ANTONY ESCOBAR.

Moral Theology.

Vol. 4. b. 31. sect. 2. probl. 5. p. 239.

"A son is bound, or he is not bound to nourish a father who is an infidel, when in extreme need, if he attempt to turn him from the faith."

No. 57.

"This last opinion ought universally and absolutely to be held: for catholic children are bound to accuse their parents of heresy, even when they know that for this reason their parents will be committed to the flames: as Toletus teaches, towards the end of his book. Therefore, they may refuse

fuse them nourishment, even tho' they should die for hunger. Fagúndez adds—that they may even kill them, at the same time preserving the moderation of a lawful defence, as enemies who violate the rights of humanity, if they would force their children to forsake the true faith; but that they ought not to put them in chains that they may perish for hunger.”

Ib. B. 32. sect. 2. probl. 35. p. 286.

“ When the civil law permits a father to kill his daughter, and a husband his wife, when taken in adultery, they may, or they may not with impunity give commission to others to do the same.”

No. 170.

“ The father and the husband may safely grant that commission to their children or servants.”

No. 171.

“ I believe that at present, this is the common opinion. Many even assert that fathers and husbands, may with impunity commit the care of such murders, not only to their own children and servants, but also to any stranger.

G E O R G E G O B A T.

Moral Works, vol. 2d.

Vol. 2. part 2. tr. 5. ch. 9. lett. K. Sec. 8. p. 328.
n. 54.

“ Father Fagúndez, B. 9. on the decalogue, thus expresth himself: it is lawful for a son to
N rejoice

rejoice in having murdered his father in drunkenness, because the great wealth he is thereby to get possession of."

"He draws this doctrine by way of conclusion from that true principle, of which many are persuaded, viz. That when an effect advantageous to us, results from an action in itself unlawful, but thro' want of deliberation become innocent, we may lawfully rejoice, as is evident, not only in the effect, but even in the action, tho' it is forbidden, not as it is forbidden, but as it is the cause or occasion of an happy event. This is the doctrine too of Vasquez — Tanner — and many others, as attested by Tanner against Manrique."—

Ib. n. 55.

"When on the one hand we suppose, that this Parricide has been innocent both on account of the want of deliberation occasioned by drunkenness and its not being premeditated; and on the other hand, that by the Parricide the son is put in possession of great riches, which is a good effect, or at least is certainly not bad; it follows, that this doctrine of F. Fagundez, which might seem a paradox, is true in speculation, tho' it would be dangerous in practice."—

Ib. n. 57. foot of the 1st. col.

"— From what we may have just now said, it may be more justly inferred, that it is lawful sometimes to desire to be innocently drunk, if from that drunkenness so great a good would result. See Caramiel in his regular theology."—

CHARLE

CHARLES-ANTONY CASNEDI.

Theological Judgement.

Vol. 5. Disp. 13. sect. 3. §. 4. n. 169. p. 438.

“ — In the second place, I may fully rejoice in the good I received by the death of my father, and not in his death, which procures me this good. — In this case I consider his death abstractly, and do not rejoice in it; but I rejoice solely in the good that flows to me from it.”

Ib. n. 170:

“ People ought to make this doctrine familiar to them; for it is useful to all those who desire any good, and cannot obtain it but by the death of another; as in the case of some employment or commission in peace or war; temporal or ecclesiastical dignities.”

MATTHEW STOZ.

The Court of Repentance.

B. 1. part 3. qu. 3. art. 1. §. 3. n. 148. p. 144.

“ — Thus, when a person rejoices in the misfortune of another, not because it is an evil to the person to whom it happens (for that would be a piece of hatred and is unlawful,) but as it is the immediate and direct cause of his own advantage; for example, a large inheritance coming to him by the death of his father; then he does not rejoice in the hurt of another, but in his own good.”

BUSEMBAUM, and LA CROIX.

Moral theology of the R. F. Herman Busembaum, of the Society of Jesus, &c.

Busemb. vol. 1. p. 163.

“ And tho’ Navarre and several others assert, that to desire ones own death is a mortal sin; nevertheless Sanchez and others maintain that it is lawful, in order to avoid great evils, such as inward affliction.—Thus Trullius excuses a woman who desires her own death, or that of another, in order thereby to avoid a great trouble, or want, and other evils of that kind, which, for instance, her husband inflicted or might inflict upon her.”

La Croix, vol. 1. p. 163.

“ — And thus one may lawfully desire his own death, to shun a great evil, either spiritual or temporal: for instance, if one could not in any other way avoid a sin, or a perpetual and intolerable imprisonment.”

Busem. p. 295. Is it lawful to kill a thief, &c.

“ It is very probable that this too is lawful to clergymen and monks for the preservation of their temporal goods. The laws which are alledged to the contrary, must be explained in this sense, that they are only prohibited when they do not keep within the limits of a just defence. Laym. Tann.—Escob.—La Croix, vol. 1. p. 364.”

“ If Caius has poisoned wine, and set it before Sempronius, with a design to kill him; and Titus knowing nothing of the matter, takes this cup,

cup, which Caius suffers him to do, that his crime may not be known: in this case Caius is not a murderer, nor is he bound to repair the loss occasioned by Titus's death, because it was not a voluntary action of Caius, who could not foresee this accident, and was not bound to hinder it, as it would expose himself to great danger."

C H A P. VIII.

On TREASON and REGECIDE.

EMANUEL SA, D. D. of the Society of Jesus, his Aphorisms of Confessors, at Cologne, 1590.

P. 41. on the word *Clericus*.

"The rebellion of a clergyman against the king, is not treason, because he is not subject to the king."

Martin-Antony Delrio.

Order of Latin tragedy, by M. A. Delrio of the Society of Jesus. At Antwerp, 1593. In his notes on the tragedy of Seneca, entitled, *Hercule-furens*, on these lines.

Utinium cruorem capitis invisi deis
Libare possem ! Gravior nullus liquor
Tinxisset Aras : Victima haud ulla amplior
Potest, magisq opima mactari Jovi,
Quam Rex iniquus.

Not. p. 145.

"Certainly it is lawful for every one to kill a tyrant, who has seized the sovereignty, if his tyranny

tyranny cannot in any other way be made to cease."

ANDREW PHILOPATER.

An edict of Elizabeth, Queen of England who was engaged in the Heresy of Calvin, full of cruelty against the Catholics of her kingdom, and base reproaches against the other Princes of Christendom. By Robert Person, alias A. Philopater. At Lyons, 1593.

See Sotnel, the Jesuite, in the Library of the writers of the society. p. 26. Printed at Rome in 1676, with permission of Oliva, general of the order.

Anf. to the edict sect. 2. n. 157. p. 106, and 107.

"Hence all the college of Theologians and ecclesiastical lawyers infer (and the thing is not only certain, but even an article of faith) that every Christian Prince, if he openly forsakes the Catholic faith, and endeavours to make others forsake it too, is divested from that moment of all power and dignity, by every law both human divine; and that, even before any sentence be pronounced by the pastor and sovereign judge: and that all his subjects are freed from the oath of allegiance, which they had taken to him, as their lawful Sovereign, and that they may, and even ought (if they have any power) to expel such a man from every Christian State, as an apostate, a heretic, a deserter of Jesus Christ, an avowed enemy of their commonwealth, lest he corrupt others, and dissuade them from the true faith by his example or precept."

"Council of Lateran an. 1215. cap. 3. If a temporal prince required, and admonished by the
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the church, shall neglect to purge his territories of Heresy ; let him be excommunicated by the metropolitan, and the comprovincial bishops ; and, if he shall neglect to make satisfaction within the year, let it be signified to the Pope ; that, from that time, he may declare his vassals absolved from their allegiance to him ; and expose his land to be seized by Catholics : who may drive out the Heretics, possess it without controul, and preserve it in the purity of the faith."

Ib. n. 158.

" This opinion is certain, unquestionable, and adopted by the wisest men, and is even perfectly agreeable to the apostolic doctrine."

JOHN BRIDEWATER, alias AQUA-PONTANUS.

Dispute of the Catholic Church in England, against the Calvin-Papists. At Treve, 1594. Vide Sotnel, p. 402. Anf. for the Catholics, to their English Persecutors, fol. 340.

" That nobody may imagine that this power (of ecclesiastical superiors) is so spiritual, that it cannot extend to the goods and abilities of a faithful people, and even to deprive of life, and inflict divers bodily punishments, as if that exceeded the bounds of the Sacerdotal function, which ought to be employed about spiritual and not temporal things : they ought to consider that the apostles give us very different instructions by their actions, and the use they made of the power they received from Jesus Christ."—

Thus, tho' Peter had only a spiritual power, and was the pastor of souls, yet he punished with death

death the sacrilege of lying. F. Ananias and Saphira: and Paul deprived Elymas the Magician of sight."

"In all these things, there is no difference betwixt Christian princes and others of the faithful, in whatever station they are. For all kings, when they submit themselves and their scepters to the yoke of Jesus Christ, are thereby bound, as well as all private persons, to submit themselves to the authority of the church and her pastors."

Ib. fol. 348.

"It is on these conditions alone that kings are received by bishops into communion with the church by divine authority; on these conditions they are anointed and crowned. If they first break these ties of faith and their oath, if they violate the promise they have made to God and his people; in their turn the people not only may but are bound, and their duty requires it, that they no longer keep the faith they had promised to such princes, when the Vicar of Jesus Christ, who is the sovereign pastor of all people on earth orders them."

ROBERT BELLARMIN.

Dissertations of R. Bellarmin, of the society of Jesus, concerning the controversies of the Christian faith, against the Heretics of the present time. The latest edition, to which are added three books of the same author, relative to the translation of the Roman empire from the Greeks to the French, by the authority of the Pope. At Ingolstadt, 1596. See Sotnel, p. 722. b. 5. ch. 6. p. 1090.

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“ The spiritual power does not intermeddle with temporal things, but suffers them all to go on as they did, before they were united, provided they be no hindrance to the spiritual end, or be not necessary for attaining it. But should any such thing happen, the spiritual power may and ought to confine the temporal, by every method that shall be judged necessary.—Ib. p. 1091. He may change kingdoms—and take them from one person to give them to another, as a sovereign spiritual prince, if that be necessary for the salvation of souls.”

Ib. ch. 7. p. 1094, 1095. et seq.

“ It is not lawful for Christians to tolerate an infidel or heretical king, if he endeavour to draw his subjects into his heresy or infidelity: but it belongs to the Pope, to whom the care of religion is committed, to judge whether the king draws them into his heresy, or not. It is therefore the business of the Pope to judge whether the king should be deposed or not.”—

“ If the Christians in former times did not depose Nero, Dioclesian, and Julian the Apostate, &c. it was because they had not sufficient power. For that they had a right to do it is evident from the apostle Paul, in his first epistle to the Corinthians, 6 chap. where he orders the Christians to establish new judges of temporal affairs, that they might not be obliged to carry their causes before a judge, who was a prosecutor of Jesus Christ. As they might establish new judges, they might also choose new kings, for the same reason if they had had power.”

ALPHONSO SALMERON.

Commentaries on the history of the gospels, and the acts of the apostles : by A. Salmeron of the society of Jesus. Vol. 4. with permission of the superiors. At Cologne, 1602.

Part 3. tr. 4. p. 411. col. 1.

“The Pope has a third power over all that part of the world which is inhabited by Christians, and over the temporal princes, kings and magistrates, who profess the law of Jesus Christ, over all whom he has, what they call, an oblique or indirect power and government. For as pastor he may command them as his sheep, and not only beg and exhort them (as every private person may equally do) to employ their whole power, and all the forces of their empire for promoting the salvation of souls, the establishment of the kingdom of Christ, and the propagation of the gospel: which commandment of the Pope, princes must obey as the word of Christ. If they resist it, he has a right to punish them as rebels; and if they make any attempt against the interest of the church, or the glory of Jesus Christ, he may deprive them of their empire and kingdom, give their dominions to another prince, and free their subjects from the obedience they owe them, and the oath they have taken to them; that thereby the word of the Lord to the prophet Jeremiah may be verified: “Lo I have put my words in your mouth. I appoint you this day over the nations, and over kingdoms, to pluck up and demolish, to destroy and consume, to build and to plant.”

GREGORY

GREGORY de VALENCE.

Theological Commentaries by G. de Valence, of the Society of Jesus, professor of theology in the University of Ingolstadt. At Ingolstadt, 1603.

See Sotnel, p. 310. Disp. 5. quest. 8, concerning murder. Point 3. p. 1273, and 1274.

“ Is it lawful for every private citizen to kill a tyrant ? Anf.—A tyrant is either such a one, as has not unjustly usurped the power, but in governing, by an authority otherwise lawful, brings in customs which are bad or pernicious to society ; or he is such a one as has assumed a power which he maintains by violence.”

“ If the tyrant is of the first kind, it is not lawful for every private citizen to put him to death. It belongs to the commonwealth alone to punish him, she having the only right to attack him, and to call in the citizens to her assistance. But if the tyrant is of the second kind, every person may kill him, if they had not recourse to a superior, or if a greater loss was to happen to society. For the whole commonwealth is reckoned to carry on a lawful war against him, and consequently every citizen, being a soldier of the commonwealth, may put him to death. It was thus that Ehud (Judges, chap. 3.) slew the tyrant Eglon, and in the same place, the scripture says, that this Ehud was raised up by God to be the Saviour of the children of Israel, over whom Eglon, king of Moab had reigned tyrannically for eighteen years. When therefore the counsel of Constantine, sess. 15. forbid private persons to kill tyrants, that ought to be understood of tyrants of the first kind, who as well as other male-

malefactors can only be punished by public authority."

FRANCIS TOLET.

Commentaries and annotations on Paul's epistle to the Romans, by F. Tolet of the Society of Jesus, Cardinal. At Lyons, 1603.

Annot. 2. on the 13th ch. of the epist. to Rom.

"As a temporal king, to whom God hath given power over objects which relate to the body, by the attribute of royalty, and for the advantage of the state, over which he reigns, (as we have it, 1 Kings 18.) may take the sons of his subjects for guards and foot-men; and their daughters for cook maids and bakers; their lands, their vine and olive trees, to give to those who serve them: with much greater reason, he to whom God hath given a spiritual power relating to the souls, may have power over their sons and daughters, and over their lands, and consequently over their bodies, as much as is necessary for attaining the end of eternal life: When therefore the spiritual power necessarily stands in need of any temporal thing, or judges it necessary for accomplishing his spiritual end, he has a right to demand it from the faithful, and to obtain it, even tho' he should take it from secular princes.—Again, when that he may more easily and effectually accomplish his end, he judges it necessary to withdraw certain kinds of people from the secular power, he may certainly do it very justly. Nor is there any opposition to this doctrine in that passage of Paul's, where he exhorts every soul to be subject to the

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the *higher powers*, but not to *secular powers*: he does not, however, deny that the spiritual ministers have a right, when they think it proper, to free what person they please from the secular power."

VARADE, GUIGNARD, ODON, &c. Jesuits.

Remonstrances of the Parliament, 24th Dec.

1603.

See the French Mercury of 1613, fol. 162.

" We have been so unfortunate in our days, as to see the detestable effects of the instructions of the Jesuits of the college of Clermont, on your sacred person. Barriere (I tremble, sire, when I pronounce this word,) having been instructed by Varade, and confessed that he had received the sacrament on his oath to assassinate you. Having failed in his enterprize, others put courage into this little serpent, who partly finished what he had sworn to do. Guignard had wrote books, maintaining that the parricide of the late king was just, and confirming the proposition condemned by the Council of Constance.

What may not we fear, when we remember these wicked and disloyal actions, which may be easily renewed?

ALPHONSO SALMERON.

Commentaries on the Epistles of Paul, and Canonical Epistles, by A. Salmeron, Theologian of the Society of Jesus. Vol. 13. With permission of the Superiors. At Cologne, 1604.

On Paul's Epist. Disp. 12, p. 253.

" It was Jehoiada the high priest who ordained king Joas, and crowned him in the temple; he
also

also ordered Athaliah to be expelled from the temple and slain. And by this you see, that it belongs to the high priest to take cognizance of and judge the causes of kings. Now, what the priests did under the law, they may with much better reason do in the truth of the New Testament, which gives them over the body and things pertaining thereto, a power which in its nature relates to the soul. Jesus Christ himself testifieth this, when, for the salvation of one man he caused two thousand swine to perish; he also drove the buyers and sellers out of the temple, and overturned their tables.—Peter punished Ananias and Sapphira with death. And thus the Pope, who is Peter's successor, may still, for the advantage of his sheep, deprive of bodily life by his word, (when other remedies fail,) provided he only employ his word, and not the external instrumentality of his hand; and he has a right to the service of catholic princes, in making war on heretics, and putting them to death. For, in ordering him to feed his sheep, Christ gave him a power to drive away wolves, and to kill them, if they attacked the sheep. Moreover, if the ram, the leader of the flock, being infected, spoil the other sheep by his contagion, or strike them with his horns, the pastor may lawfully depose him from the principality he has over the flock."

JOHN MARIANA.

The Works of J. Mariana, a Spaniard, of the Society of Jesus, on the King, and the appointment of a King, in three Books, dedicated to Philip III. King of Spain, at Mayence 1605. With permission of Stephen Hojeda, Visitor in the Province

vince of Toledo, in virtue of a special power received from Cl. Aquaviva, General of the Order, in consequence of the approbation of learned and respectable men of the same Order.

B. 1. ch. 6. p. 56. et seq.

“ But if he ruin the commonwealth, if he plunder the public or private fortunes, if he openly despise our holy religion and the public laws, if he place virtue in pride, presumption, or a contempt of God; then it is not lawful to dissemble. It is necessary, however, to consider attentively what method ought to be followed in deposing such a prince, lest we add one evil to another, and punish one crime with another. The most expeditious and surest way to succeed would be to meet publicly, and deliberate on the measures that would be most proper for that purpose, and to hold the determination of the assembly as a fixed and inviolable law: the execution of it may be carried in the following steps. In the first place, the prince ought to be warned of his danger, and advised to reform: if he submit, satisfy the commonwealth, and amend his former faults, I think they ought to stop and proceed no farther in using more violent measures. But if, on the contrary, he reject all counsel, and there are no hopes left of his amendment, then it will be lawful for the state, after pronouncing the sentence of deposition, no longer to acknowledge him; as a war must necessarily follow, they must take care to publish their design of defending themselves, take up arms, and lay taxes on the people, in order to defray the expences of the war. In fine, if circumstances permit, and there is no other way left them to provide for their safety, the same right of defence, and
even

even a much greater authority, which belongs to them, makes it lawful for them to sheath their swords in the bosom of a prince, who is an avowed enemy of the public. The same power is devolved on every private person, who, renouncing all hopes of impunity, at the hazard of his life, would attempt to relieve the state. But if there be no way, as often happens, to get these public assemblies held, what then must be done? In my opinion, this circumstance must be judged of, on the same principle. For the oppression of the state, and their want of power to assemble, does not take away the inclination to repress the tyranny, and to take vengeance on the crimes of the prince, provided they be evident and intollerable, and to curb his pernicious attempts, supposing he overthrow the religion of the country, or draw in the common enemies of the state. Whoever shall attempt to put such a prince to death, shall never be thought guilty of an unjust action. Thus the point of fact is still controverted, viz. What prince are we to look on as a tyrant; but the question of right, viz. That it is lawful to kill a tyrant, is not at all difficult."

Ib. ch. 7. p. 64. &c.

" —Wherefore, in my opinion, we ought never to offer our enemy fatal drugs, nor to mix with his meat mortal poison in order to dispatch him. Nevertheless, in this matter it will be lawful to use this modification, not to force the person whom we mean to put to death to take the poison himself, which will kill him, but to cause it to be given him by another outwardly, in such a manner as that he who is to perish by it may not have any influence in promoting it, which will happen when the poison

son is so strong, as that in order to kill one, it is sufficient to rub his feat or cloaths with it."

JOHN AZOR.

Moral Instructions, in which all the Cases of Conscience are shortly treated of. Vol. II. by J. Azor, Preacher and Theologian of the Society of Jesus. At Lyons 1607. With permission of Lewis Richeaume, Provincial of the Society of Jesus, in the Province of Lyons.

Part 3. b. 2. p. 103.

"It is asked, if it be lawful to use this right of defence, whoever the aggressor be? I answer, That it is lawful, for instance, for a son to use it against his father, a wife against her husband, a servant against her master, a soldier against his officer or general, &c."

JOHN OZORIUS.

Sermons by J. Ozorius, of the Society of Jesus, on the Saints. At Paris 1607. With Permission in Spanish by F. Francis Galarea, Provincial in Castille, in virtue of power granted him by Cl. Aquaviva, General of the Order, after they had been examined by some learned Doctors of the same Society.

He is commended in the Library of the Writers of the Society, by Philip Alegambe, p. 261, and Nathaniel Sotnel, p. 484.

Vol. 3. Serm. in St. Peter's Chair, p. 64.

"The power of the keys is committed to Peter and his successors: a power which extends to several

ral things ; first, to govern the universal church, to send bishops into different places, to preach the gospel over the whole earth, to give, to withdraw, and to limit all jurisdiction, to chuse kings, and to take their kingdoms from them again, when they swerve from the faith, or oppose their preaching."

P. 70.

" When it is expedient for spiritual matters, the Pope may change lords, and kings, and emperors, and deprive of their kingdoms wicked and disobedient kings, and who hinder the publication of the gospel."

G A R N E T

And Holte, Creswell, Parsons, Walpole, Baldwin, Gerard, Tesmond, alias Greenwell, Hall, alias Oldcorne, Jesuits.

Process against H. Garnet, Superior of the Jesuitical Society in England, and others of his accomplices, who by the most atrocious of treasons, had conspired by a mine to cut off the most serene king of Great Britain, and the States of the kingdom of England. To which is added, the Speech of the Commissaries, and the verbal process of the punishment suffered by H. Garnet in London. The whole translated from the English into Latin by G. Cambden, at London, 1607.

Disc. of Edward Coke, p. 66.

" As I am to speak of several treasons, to give this a proper name, and to distinguish it from others in a clear and precise manner, I shall call it the JESUITICAL TREASON, as it was the Jesuits who had

had both the merit of congruity and condignity of it, for they both contrived and invented it; and in these sorts of crimes, the author of a conspiracy is more blameable than he who puts it into execution—and as I have here to do with one of the principal Jesuits, I shall only speak of the treasons they have contrived, and whose superior and chief is Garnet; I shall also mention these who have made a figure, since the arrival of Garnet in England, and to whom the expression of the poet may be applied, *Quorum pars magna fui.*”

Ib. p. 71.

“ P. Cullen, instigated by the advice of Holte, the Jesuit, to murder the queen, and for this end he gave him the sacrament and the absolution of all his sins.”

P. 72.

“ At the time of this conspiracy, there appeared a book, authorizing all such wicked attempts, entitled *Philopates*, a counterfeit name, under which Creswell, a Jesuit, who then resided in Spain, and the author of it, disguised himself. In 1594, Williams and Yorke arrived in England, also intending to assassinate the queen. By the persuasion of Holte the Jesuit, and others of the same set, they took upon them to execute that most impious and detestable action; and in order to encourage them to it, Williams and Yorke, and other Jesuits who had joined in the conspiracy, received the sacramental bread of our Lord's supper from Holte. At the time of this conspiracy, there was a book published under the false name of Doleman, composed by Jesuit PARSONS, who at present is rector at Rome: a wicked book, and nothing

but a collection of lies, impostures, and raillery heaped together. In 1597, Squirre went over from Spain into England, to effect by poison what had been so often tried by the sword and cunning. He was exhorted and advised to it by Walpole the Jesuit, who before that time lay concealed in England, and having given him absolution, he bound him by an oath to execute it with the greatest secrecy. The authors of these treasons have all confessed voluntarily and freely; we have each of their confessions signed with their own hands, so that we may proceed in this affair upon the clearest evidence."

Ib. p. 79.

" —Catesby then coming to Garnet, proposed to him the following question: If, in order to support the catholic interest against heretics, it was lawful amongst a number of guilty persons also to cut off a few innocent ones? Garnet, confidently, and without the least hesitation, answered, That if it was for the advantage of the catholic interest, and that the number of the guilty was much greater than that of the innocent, they might lawfully cut them all off together. This decision of Garnet, the superior of the Jesuits, was the sole, but at the same time a most steadfast bond by which Catesby afterwards kept all his accomplices in that wicked and execrable conspiracy closely united to him.—In the month of may, in the second year of James's reign, Catesby, Percy, John Wright, Thomas Winter, and Fawkes, having assembled, and laid their hands on the holy gospels, they swore to keep the secret, and to persevere in their design.—Having confessed, and being absolved, they received the sacrament from the hands of Jesuit Gerard, who was then present."

Ib.

Ib. p. 83.

“ —On the first of November, Garnet prayed publicly for the happy success of that important affair of the catholics, at the beginning of the parliament.”

The Verbal process of Garnet's Execution.

“ On the 3d. of May, Henry Garnet suffered the last step of his punishment. When he had mounted the scaffold, he stood astonished, his face betraying his fears and remorse.—He said to the spectators that it was a horrible design; that the crime which he intended to perpetrate was enormous, and of such a nature, that had it been accomplished, it could not have failed to fill his mind with continual terror. He added, that he only learned the general nature of the affair from Catesby; that he was guilty, however, in having concealed it, and having neglected to put a stop to it: that what he knew in particular about it, he only had learned under the seal of confession. But the magistrate who was present at his execution, desired him to recollect these four articles which the king, among several others, had in his hands signed by Garnet's own hand, viz. 1st. That Greenwell had declared the action to him, not as a sin, but as a matter he formerly knew, in order to deliberate about it with him.

2d. That Catesby and Greenwell had come to him to be confirmed by him in the execution of the crime they had undertaken.

3d. That Tesmond had had a very long conversation with him in Essex, on the particulars of that conspiracy.

4th. That Greenwell had asked Garnet, who
was

was to be the protector of the kingdom? and that Garnet answered, That he needed not trouble himself about that, till the affair should be fully finished.

All these things prove that you knew of these crimes from another quarter than confession; and these are signed by your own hand.

Garnet replied, That all which he had signed, was true, and that he was very justly condemned to die, for not having revealed to his majesty what he knew."

NOTE. In the Book intituled, A Representation of the First Age of the Society of Jesus, composed by the Jesuits, in the Flandro-German Province, there is the following paragraph :

P. 908.

" England staggered in every part of it : a king who was an enemy to the church, obliged her to change her faith : by a new kind of treachery, they have made her swallow the poison of innumerable errors of Luther, Zwinglius, Calvin, and other masters from the chair of pestilence. Immediately the Parson's, the Campian's, the Creswell's, the Walpole's, the Sotwel's and Garnet's came in to her assistance, and offered to bring a proper remedy. After a plentiful and desirable harvest which they had gathered, their great labours, the infected prisons in which they were confined, their numberless troubles, and the dreadful punishments they endured for religion, hastened their death, which was, as it were, a triumphal gate, through which they entered into the eternal kingdom."

See them also inserted among the number of the martyrs of the society in their different catalogues.

GAR-

GARNET, in that Ribadeneira, p. 375, in that of Alegambe, p. 567. Sotnel, p. 974.

OLDECORNE, in that of Ribadeneira, p. 375. Alegambe, p. 566.

EDME CAMPIAN, in that of Ribadeneira, p. 366 367. Alegambe, p. 562. Sotnel, p. 974.

WALPOLE, in that of Ribadeneira, p. 371. Alegambe, p. 565. Sotnel, p. 975.

GERARD, in Sotnel's, p. 975.

PERSONS, Sotnel's, p. 976.

C H A P. IX.

ON PROBABILITY.

Probability is a doctrine, according to which, when there are two opinions on any subject, the one of which is more profitable and favourable to the law of God, the other less profitable and favourable to carnal lust; it is lawful to follow the latter in practice.

J O H N D E S A L A S.

Vol. 1st. Of Disputations, by the R. F. John de Salas, of the Society of Jesus, on the first Second of St. Thomas; dedicated to the very R. F. Cl. Aquaviva, General of the same Society, at Barcelona 1607, with Permission of Cl. Aquaviva himself, after the Inspection and Approbation of four Divines of the Society.

This author is inserted in the different catalogues of the writers of the society. In that of Ribadeneira, p. 156, Alegambe, p. 272, and Sotnel, p. 500. Where it is said, that in the judgment of Aquaviva, he was one of the most wise and learned men of the society, so that, on every occasion, he was consulted as an oracle of wisdom.

Vol.

Vol. 1, tr. 8, sect. 7, n. 74, p. 1208.

“What opinion an illiterate man ought to follow in practice.

“I agree best with the opinion of Henrquez, Vasquez, and Antony Perez, who teach that it is sufficient for an ignorant and an unlearned man to follow the opinion which he believes to be probable, because it is supported by men of character, and who are skilled in the art, though this opinion be neither more sure, nor more common, nor more probable.”

Ib. sect. 9, p. 1211, n. 83.

“—Indeed, according to Sotus, after having heard his confession, it would be very hard for the penitent to send him away without absolution, to confess anew to another priest, if he can, contrary to his own opinion, and with safety of conscience, absolve him; especially, when perhaps the penitent could not without great trouble find another priest, to whom his opinion appeared probable.”

Ib. n. 84, p. 1212.

“But you will ask if a confessor, or other man, contrary to his own opinion, may advise a penitent or other. For example, when he himself believes firmly the doctrine of restitution, may he advise him to follow the opinion of other doctors, who maintain that there is no obligation to restore?”

FRANCIS SUAREZ.

Commentaries and Disputes on the third Part of St. Thomas, Vol. 4. by F. Suarez of Grenade, of the Society of Jesus, first Professor of Theology in

in that celebrated University of Coimbra, at Lyons 1608. with permission of L. Richeaume, Provincial of the Society of Jesus, in the Province of Lyons.

This work is inserted with high commendations of the author, in the different catalogues of the writers of the society. In that of Ribadeneira, p. 70 and 71, Alegambe, p. 136, &c. Sotnel, p. 255, &c.

Comment. vol. 4, disp. 32, sect. 5, n. 3, p. 447.

“ There arises a difficulty, when the penitent holds an opinion which is probable, and the confessor judges the contrary opinion to be more probable: and in this there is a difference of opinions. The first then is, that the confessor may not conform himself to the penitent’s mode of thinking, because he would act contrary to the dictates of his conscience. But that reason is of no consequence, because though a person act contrary to a speculative opinion, in practice he may not act contrary to his conscience; and because the confessor in this case does nothing on a simple opinion but absolve the penitent, whom he judges to be certainly well disposed.—If, for example, the confessor and the penitent differ in opinion on the subject of restitution. For if, in not restoring, there follows a temporal loss to another person, so in restoring the penitent himself suffers a temporal loss.”

Ib. n. 4.

“ I say then, that in this case a confessor not only may, but ought to absolve the penitent— And the reason is clear from what had been said; because then the penitent has made a full confes-

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sion,

sion, is well disposed, and has done nothing against his conscience, and the confessor sees all that evidently. Therefore he has neither any right nor reason to send away this penitent without absolution: nor is there any difficulty in this."

GREGORY de VALENCE.

Theological commentaries by Gregory de Valence, of Metymna, of the Society of Jesus, professor of Theology in the University of Ingolstadt. vol. 3. At Paris, 1609. With permission of Albert Hungerns of the Society of Jesus, in consequence of the approbation of several other theologians of the same society.

This author is highly commended in the different catalogues of the writers of the society. Ribadeneir p. 86. Alegambe, p. 165. and Sotnel, p. 310.

Vol. 3. Disp. 5. quest. 7. point 4. col. 1152.

"It is asked, if a judge, without respect of persons, may determine his judgement in favour of his friend, according to any propable opinion; even when the point of right is disputed among the doctors."—

"In the first place I say; if the judge think that both opinions are equally probable; he may lawfully, to favour his friend, judge according to the opinion which is most for his friend's interest. Moreover, in the view of serving his friend, he may sometimes judge according to the one opinion, and sometimes according to the other."

THOMAS

T H O M A S S A N C H E Z.

A moral work of T. Sanchez, Theologian of the society of Jesus, on the precepts of the Decalogue; with permission of the superior. At Venice, 1614.

He is commended in the catalogues of the writers of the society. See Alegambe, p. 436. Sotnel, p. 767.

B. 1. ch. 9. n. 6. p. 31.

“ Tho’ a person may see a particular difficulty in an opinion which he cannot resolve, and which he thinks cannot be resolved; that is no reason for him to look on this opinion which is maintained by others as impossible, so as that he cannot follow it.”

No. 10. p. 32.

“ And if sometimes a learned man is excusable in following his own particular opinion preferable to the common one, much more may an unlearned person be allowed to do it.”

B. 2. ch. 1. n. 6. p. 94.

“ An infidel, being persuaded that his sect is probable, tho’ the opposite sect may be more probable, would be bound in the article of death to embrace the true faith which he judges more probable—but exclusive of this article, he is not bound.—Besides the mysteries of our faith are so sublime, and the manners of the Christians so opposite to the laws of flesh and blood, that even a very great probability is not sufficient to enforce the obligation to believe them.”

GILLES DE CONINCK.

Two vols. of commentaries and disputes on the whole of St. Thomas's doctrine, with respect to the sacraments and censures by G. de Coninck, of the society of Jesus, professor of theology in the University of Louvain. At Lyons, 1619, with permission of Mutio Vitelleschi, general of the society of Jesus, granted, after the examination of three doctors of the same society, who judged the work worthy to be printed : and permission of B. Jaquinot, provincial of the society in Lyons.

This work is much commended in the two catalogues of the writers of the society ; Alegambe, p. 7. Sotnel, p. 12. In which there are two editions of it mentioned in 1616, and 1619.

Disp. 34. n. 82. p. 853.

“ 4th, The probability or certainty of a proposition may arise—from external principles, which as another of the doctors, which often renders that probable, that would not be so, were we only to have regard to reason.”

“ 6th, When the doctors differ in their opinions on any point, we may follow that which pleases us best, tho' less sure and less probable. This is the doctrine of Vasquez, who shews that even a learned man may follow the probable opinion of another, tho' he may be persuaded that the contrary opinion is more true.”

VALERIUS REGINALDUS.

The practice of the court of Repentance, for the direction of confessors in the exercise of their holy office. Vol. I. by Father V. Reginaldus of the so-

society of Jesus. A work equally useful to penitents and confessors. The last edition reviewed and corrected by the author. At Lyons, 1620, with permission of Ant. Suffren, of the society of Jesus, provincial in Lyons, who had received power from Cl. Aquaviva, general of the society.

He is praised in the three catalogues of the writers of the society. Ribadeneira, p. 223. Alegambes, 441. Sotnel, p. 775.

Vol. I. b. 13. ch. 10. p. 676. n. 96.

“ — Thus we are not forbid to do what we believe in good faith to be probable and sure, because the contrary appears more probable and sure.”

Ib. n. 97.

“ Hence we may conclude that he who, with great reason, is persuaded that, contrary to the common opinion, something is lawful, when asked his advice, may give it agreeable to the common opinion, tho’ he judge that the contrary is more probable, and believe that the reasons on which the common opinion is founded may be destroyed.”

G A B R I E L V A S Q U E Z.

Commentaries and disputes on the first second of St. Thomas, vol. I. by G. Vasquez, theologian of the society of Jesus. At Lyons, 1620, with approbation of Louis de Gusman, provincial of the society of Jesus, in the province of Toledo; in virtue of power given him by Cl. Aquaviva, general

general of the society, in consequence of the judgement given of it by grave and learned doctors of the same society: and with permission of Barth. Jaquinot, provincial in Lyons.

The author is commended in the different catalogues of the writers of the society. Ribadeneira, p. 8. Alegambe, p. 146. Sotnel, p. 271.

Disp. 62. quest. 19. ch. 7. art. 6, &c.

“ We must examine if, contrary to his own opinion a confessor not only may, but ought to absolve a penitent on account of his probable opinion. We mean to speak of all the cases in which the opinion of a penitent tho’ probable is nevertheless not very sure.”

“ Doctors differ in their opinions concerning this matter. And first, Adrian thinks; that if a penitent be in a mistake by a probable opinion, either because he consulted skilful and experienced people about it; or because he himself is instructed, and may use this mode of thinking: if it be prejudicial to another; for instance, if the opinion be about restitution; then the confessor ought to advise his penitent to give up with his opinion, and to restore, if he has any hope of making him change his opinion; but if the confessor have no hope to gain his point, he ought to leave him to his own opinion.”

“ I by no means agree with that opinion of Adrian; for if we once suppose, as he himself does, that the penitent follows a probable opinion, it will not be evident that he is in an error, and consequently the confessor may believe that his penitent is excused by the probable opinion which he follows, because he behaves prudently and pro-

probably, and consequently the confessor may absolve his penitent, who follows that opinion in safety of conscience. Nor in this case ought a confessor for any particular reason, to consult the good of another, to whom otherwise restitution should be made; but he ought solely to provide for the salvation of his penitent: and since in this case the penitent does not sin, as he is guided by a probable opinion, he ought not be refused absolution."

" In the third place, John Medina uses the above distinction (of an ordinary and extraordinary confessor,) and still adds this other; the opinion of the penitent is either prejudicial to another, or it is not. He then says in the first place, that even when the opinion of a penitent would be prejudicial to another, his ordinary confessor may, and ought, contrary to his own opinion, to grant absolution to this penitent, continuing in his probable opinion—Now if a penitent according to his probable opinion does not make restitution, he is neither guilty of injustice, nor any other sin; nor will the priest be guilty of any sin, when he absolves this penitent, who he knows, persists neither in any sin, nor in any intention to sin: nor ought the confessor in this case, to be more studious to promote the good of another by procuring a restitution of that which his penitent retains, than the good of this same penitent, in not obliging him to restore it."

" For my part, I approve the opinion of Angelus—Navarre—and Sotus, who absolutely and without any distinction, determine that every confessor extraordinary or ordinary may, contrary to his own opinion, absolve a penitent who follows a pro-

probable opinion, tho' less sure, whether this opinion be prejudicial to another, or not.—Sotus adds, that an ordinary confessor not only may, but ought to absolve such a penitent."

STEPHEN FAGUNDEZ.

A treatise on the five commandments of the church, by S. Fagundez, theologian of the society of Jesus. At Lyons, 1626. Read, approved, and permitted by the fathers of the society, Antony de Castlebrane, Francis de Govea, William de la Croix, Antony Mascarenas, visitor of the province of Portugal, &c.

This author is much praised in the second catalogues of the writers of the society. See Alegambe p. 427. Sotnel, p. 749.

Command. 2. B. 3. ch. 4. n. 3. p. 359.

"It would be an intolerable burden on consciences, and expose to many scruples, if we were obliged to search after and to follow the most probable opinions: therefore learned people, and prudent confessors, leaving their own private opinions, which is the most probable, may guide the consciences of their penitents, according to the opinions the penitents judge probable; as maintained by Sancius, &c."

Ib. n. 5.

"This doctrine is true, not only in the sight of God, and the internal court of conscience, but also in the external ecclesiastical court. Therefore even a secular judge, not only in criminal, but also
so

so in civil matters, leaving his own private opinion which is more probable, may follow the contrary opinion which he also thinks probable. This is the sentiment of Sancius,—Vasquez—Valence—Henriquez—Azor—and Lessius.”

P A U L L A Y M A N N.

Moral theology, divided into five books, in which, all matters relating both to the external ecclesiastical court, and the internal court of conscience are explained in a new method, as far as they relate to practice; by P. Layman, of the society of Jesus. At Paris, 1627; with permission of Walter Mundbrot, provincial of the society of Jesus in Upper Germany; in virtue of power received from M. Vitelleschi, general of the order, in consequence of the approbation of four divines of the same society.

A work greatly commended in the catalogues of the writers of the society. Alegambe, p. 367. Sotnel, p. 652.

Tr. 1. ch. 5. §. 2. n. 7. p. 6.

“ Assert. 1st. Of two contrary probable opinions, concerning a human action, viz. whether it be lawful or not; every one in practice or in action may follow the one which pleases him best, tho’ in following it in speculation he looks upon it as less probable. This is the opinion of Suarez—Azor—Sanchez.”——

“ Assert. 2d. Of two probable parts of a question, it is lawful to follow even that which is less sure, that is, that which appears less distant from all appearance of sin, than the opposite part is.”

R

“ Ib.

Ib. n. 9.

"A doctor may give advice to him who consults him, not only according to his own opinion, but also according to the opposite and probable opinion of others, if this last opinion be more favourable and agreeable to the person who asks his advice—tho' the same doctor may be certainly persuaded that this opinion is false in speculation, so that he himself could not adopt it in practice.--- And hence it follows, that a learned man may give to different persons contrary advices according to contrary probable opinions."

FERDINAND DE CASTRO PALAO.

Part first, Of a moral work on virtues and their contrary vices, by Ferdinand de Castra Palao, professor of theology of the society of Jesus, and qualifier and consulter of the holy Inquisition. At Lyons, 1631, with permission of Gaspard de Vegas, provincial in the province of Castille, in virtue of power granted him by M. Vitelleschi, general of the order, upon the approbation of grave and learned men of the same society.

This work is commended in the catalogues of the writers of the society. Alegambe, p. 109. Sotnel, p. 203.—There was a second edition of it printed, Lyons, 1645.

Part 1. tr. 1. disp. 2. point 2. n. 5. p. 8.

"—In a case of great necessity you are bound to conform to the opinion of others, which otherwise is less probable; because, on account of that great necessity and danger, the opinion, which at
other

other times has little or no probability, becomes very probable and sure.—You believe that a judge lawfully interrogates you about the crime of a grave and honest person, and who is not a little necessary to the state; you have not however a sufficient knowledge but have some scruples and doubts about it.—You may then be silent, and not answer him in his meaning, judging that in such a case it is probable you may hold your peace—because that, in this case, the great necessity renders probable an opinion, which otherwise would not be so.”

Ib. point 3. n. 7.

“ The doctors, and professors who fill any chair are not obliged to teach the opinions which appear most probable to them. For often these opinions are the least received, and the least authorized, and would occasion scandal: and this would be laying a heavy yoke on masters, if they were bound to teach that which they thought most probable. For in virtue of such an obligation, they must make sufficient researches into the reasons on both sides; and it would often happen, that the opinion which appeared most probable to them yesterday, will appear the least probable to day; and thus in their writings, they would be daily obliged to change their opinions. Wherefore it is sufficient that they teach what appears probable to them,”

Ib. tr. 4. disp. 1. point 12. n. 14. p. 355.

“ You are not obliged, in things necessary to salvation, to follow the most sure and most probable way; it is enough, that you follow the one
which

which is simply sure and probable : for even in that which appears surest and most probable to you, there may be an error.—When the probability of right is founded on the probability of fact ; then I say, from the probability of fact, the probability of right may be inferred, I illustrate this matter by an example : It is probable to me, that the cloke I possess, is my own ; I judge however that it is more probable it belongs to you ; I am not obliged to restore it to you, but I may safely keep it. In like manner, at present it is probable to an infidel that his is the true religion, tho' the contrary may be more probable; it does not appear that he ought to be obliged to renounce his error. But as, on a death-bed he has no longer time to examine the thing, that does not oblige him to forsake a sure way to follow a more sure one, but only with more care to examine it, when it shall be convenient for him."

VINCENTIUS FILLIUCIUS.

Moral questions on the duties of Christians, and cases of conscience, reduced into the form of a course of theology, which is taught in the Roman college of the society of Jesus, vol. II. By V. Filliucius, of the same society, formerly professor in the Roman college, at present answerer of cases of conscience, and penitentiary of our holy Father the Pope in St. Peter's church. At Lyons, 1633. With approbation of M. Vitelleschi, general of the society of Jesus, after it had been examined by three divines of the same society : and another permission by Barth, Jacquino, Provincial of the society of Jesus in Lyons.

This author is highly commended in the catalogues of the writers of the society. See Ale-
gambe,

gambe, p. 443, and Sotnel, p. 782. The first edition of this work was at Urfrelle, 1625. The 2d, and 3d, at Cologne, 1626, and 1629.

Treat. 21. ch. 4. n. 126. p. 12.

“ In the first place I say, that it is lawful to forsake a less probable opinion, tho’ more safe, to follow a more probable opinion. An example may be taken from the person who doubts of his property in a thing which he has in his power, and possesses *bona fide*. The most probable opinion is, that he is not bound to restore it; it is however more safe to restore it.”

Ib. n. 128.

“ In the second place I say, that it is lawful to follow a less probable opinion, even when it is less safe. This is the common opinion of the moderns.—And first, if we speak of ignorant people; in order to act in a proper manner, it is sufficient for them to conform to the judgement of a wise man. If of learned men, the proposition is true, that it is lawful for them to give up a more probable and safe opinion, to follow one which is less probable and less safe. The reason of it is, that this man acts prudently in believing these who are skilled in the subject, and submitting to the judgement of wise men: nor is there any necessity to have a certainty of well-doing, because then it would not be lawful to follow even a more probable opinion when it is less safe.”

NICOLAS BALDEL.

Five books of disputes on moral theology, by N. Baldel of Cortona, of the society of Jesus. At Lyons,

Lyons, 1637, with permission of M. Vitelleschi, general of the order, after it had been approved of by three divines of the same society; and another permission of Cl. Boniel, provincial of Lyons; and the testimonies of Theophilus Reynald, and Joseph Gibalin, Jesuits, who declare that they found nothing in this work contrary to good morals, the Catholic faith, and the decisions of divines.

Alegambe, p. 348. Sotnel, p. 623.

"It is lawful to forsake the more probable opinion."

B. 4. disp. 12. n. 1. p. 398. col. 1.

"It must be observed in a few words, that he is guilty of no sin, who follows a probable opinion, and forsakes a more probable one, whether the latter be the opinion of another or his own; and whether the one he follows be more safe, or less so. This is the opinion of Suarez—Vasquez—Sanchraz—Valence—Azor—Lessius, Henriquez, &c."

Ib. disp. 13. n. 5, 6. p. 402. col. 1.

"It is lawful for a confessor to follow the probable opinion of a penitent, and to neglect his own. And that is true, even when the probable opinion of the penitent may be for the loss of another: as for example, if it relate to not making restitution. For tho' Adrian, 4 and 5 qu. of the Confess. doubt. 7. §. 2. maintains, that the confessor is bound to advise his penitent to quit his opinion, when it turns out to the loss of another, that however does not appear very reasonable; as the
con-

confessor is not bound, in the act of confession, to consult the good of another, and the penitent does not sin in following a probable opinion, even when it relates to non restitution."

FRANCIS AMICUS.

A course of theology according to the scholastic method followed at present in the society of Jesus, by F. Amicus, doctor in divinity of the same society, formerly public professor of that science in the college of Naples, in the celebrated university of Gratz, and in that most celebrated and ancient university of Vienna. Vol. III. At Douay, 1640, with permission of F. Michael Summerekker, provincial of the same society in Austria; in virtue of power given him for this purpose by M. Vitelleschi, general of the order, after the examination and approbation of some fathers of the Jesuits appointed to inspect it.

See Alegambe, p. 113. Sotnel, p. 210.

Vol. III. disp. 15. Sect. 3. n. 48. p. 206.

" Corduba denies that an action can be lawful, when a person has but a faint idea of its lawfulness, attended with a strong doubt. Vasquez affirms that it is lawful."—

Ib. n. 49.

" — But, as I will shew afterwards, one may lawfully act on a less probability, in opposition to a greater: in like manner, one may equally act from a faint idea, in opposition to a strong doubt."

JOHN

JOHN MARTINON.

Theological Dissertations, in which the whole of the scholastic theology is explained clearly, briefly and exactly, by the R. F. John Martinon, of the society of Jesus, professor of theology in the college of Bordeaux. At Bordeaux, 1646, with the approbation of Peter de Burgis, tutor of the highest studies, and John Godefroy, professor of theology; and with permission of John Ricard, of the society of Jesus, provincial in Aquitania, in virtue of power received from M. Vitelleschi general of the order, after the examination of several divines of the same society.

See Sotnel, p. 478.

Vol. V. disp. 53. sect. 15. n. 190. p. 302.

“ If the penitent errs, only in the judgement of his confessor, or perhaps in reality; if however he follows a probable opinion, the confessor is not bound to correct him, and he even cannot take from him the right he has to follow a probable opinion.—The intention to follow an opinion which is really probable, is not a proper reason for delaying his absolution, tho’ the contrary opinion may be more probable, or more safe, and more distant from sin.”

ANTONY ESCOBAR.

An explanation of the opinions which are not contradicted, and the problematical researches in the whole of moral theology, by A. Escobar, &c. theologian of the society of Jesus. Vol. I. At Lyons,

Lyons, 1652. Vol. III. *ibid.* 1663, and so of the rest; in which are inserted the approbation of several grave and learned men of the society, and the permissions of F. Francis Antony, provincial of Castille; of F. Peter Pimentel, provincial of the same province, &c. in virtue of power given them by F. Gosvin Nichal, general of the order.

See Sotnel, p. 70.

Vol. I. p. 2. sect. 1. ch. 2. n. 14. p. 32.

“ We may without sinning follow a probable opinion, forsaking one which is more probable and more safe; because tho’ the opinion which is more safe be more perfect and better suited to calm the mind; nevertheless, no person is bound to follow that which is more perfect, provided that which they follow be simply perfect and safe: and because we cannot obtain a perfect and entire certainty of things, God has not in any way bound us to it, but only to act with a moral certainty, such as is found in a probable opinion.”

Ib. n. 22. p. 34.

“ I ask if, among probable opinions, there may be one more convenient and more safe than another, that is, if there be more danger of sinning when we follow one opinion, than when we follow another.”

“ I answer in the negative; because that every probable opinion, giving a person safety of conscience to act, there is no less safety in practice, in following one opinion, than another.”

S

“ Ib.

Ib. Probl. 6. p. 39. n. 54, 55, 56.

“ On a death-bed, it is lawful for me to embrace an opinion which is less probable and less safe—being persuaded that a death-bed does not establish any new rule of moral actions, tho’ (I confess) it sometimes introduces the obligation of a particular precept, which is binding at this time, and not formerly. In consequence of that opinion, Sanchez and Diana maintain that this infidel is not obliged to believe even on a death-bed.”

Ib. Sect. 2. Probl. 18. n. 91, 92. p. 43, 44.

“ Subjects are not bound to pay a tax according to two opposite probabilities.”

“ They are certainly excused, because, as the prince justly lays on the tax, agreeable to a probable opinion, which asserts that it is not just; they may justly refuse to pay the tax, according to a probable opinion, which asserts that this tax is unjust. I join with Sanchez—Lessius—Molina—and Filiucius in approving this sentiment.”

SIMON DE LESSAU.

Propositions dictated in the Jesuitical College of Amiens, by F. Sim. de Lessau, Jesuit; Professor of Cases of Conscience in 1655 and 1656, according to the Extract annexed to the Request and Memorial presented to the Bishop of Amiens, by the Curates of his Diocese.

On the Precepts of the Decalogue, ch. 1, art. 4.

“ I. A probable opinion is that which is supported by the authority of a learned and pious man.”

“ II. Though

“ II. Though an opinion may be more probable and more safe, and may even appear so to yourself; though you do not forsake your own mode of thinking in speculation, you may lawfully do it in practice, and follow a less probable one. The most probable or safe part is either that in which there can be no sin, or which is chosen as a less evil, in order to avoid a greater one.”

“ III. The doctors may give advices contrary to their own opinions, and according to the opinions of others.”

“ IV. A confessor may absolve his penitents according to their probable opinion, contrary to his own private one; nay, he is even bound to do it.”

P O I G N A N T.

Extract of the Writings of F. Poignant, of the Society of Jesus, Professor of Cases of Conscience in the Jesuitical College at Amiens, in 1656 and 1657, according to the Extract annexed to the Request and Memorial presented to the Bishop of Amiens by the Curates of his Diocese.

On the Principles of the Cases of Conscience.

qu. 5.

“ V. A probable opinion is that which is founded on the authority of an active man. Thus scholars may follow the opinion of their masters, as probable.

“ VI. It is lawful to follow an opinion which is less probable and less safe, and to forsake one which is more probable. Nay, we are not obliged, even in doubtful matters, to chuse the safest

part. The safest opinion is that in which there is no danger of sinning, or in which there is least evil."

" XII. When the opinions of contending parties on the article of right, are equally probable, a judge may, according to his own pleasure, give a decision in favour of any of the parties.

" XIII. The judge may forsake a more probable opinion, and follow one which is less probable."

THOMAS TAMBURIN.

An Explanation of the Decalogue, by T. Tamburin, Sicilian, of the Society of Jesus, first Professor of Theology in the University of the celebrated City, Messina; at Lyons 1659, with approbation of J. Lichiana, of the Society of Jesus, appointed for that purpose, who says that it was formerly of very great Use in the Christian State. Louis Bomplan, Provincial in Sicily, has also approved this Work, by Authority of Francis Piccolomini, General of the Order.

The fathers Theophilus Raynald and Charles Dulieu, both of the Society of Jesus, residing in the College of Lyons, have judged this work worthy to be re-printed, after an exact examination of the Theologians, who in their approbation assert, that the author has wrote exactly what relates to good morals. See Sotnel, p. 769.

On the Decal. b. 1. ch. 3. §. 5. p. 26. n. 2.

" Again, It is probable that the loss of one's reputation may be indemnified by money. May not I then, when my character has been tarnished,
demand

demand an indemnification in money, from him who has done it : and to-morrow, or even to-day, may not I, having blackened another's reputation, refuse to recompence in money that loss he has sustained ? I assert, that one may lawfully do what he thinks proper in this case."

Ib. §. 4. n. 16. p. 24.

" A doctor may teach those opinions which are probable, even suppressing those which are more probable, provided he did not foresee that any scandal would arise from it; because he conducted himself prudently in shewing to his hearers a probable method of good behaviour."

JOHN DE LUGO.

Moral Answers, in Six Books, by his Eminence J. de Lugo, of Seville, of the Society of Jesus, Cardinal; the last Edition corrected. At Lyons 1660. With approbation of Storce Pallavicin, Reader of Theology in the Roman College of the Society of Jesus. See Sotnel, p. 471. &c.

B. 1. doubt 26. §. 3. p. 25.

" —That person sufficiently observes the commandment of God, who following a probable opinion, omits something to which, according to the probable opinion of the doctors, he is neither bound by divine nor human law."—

AMAD. GUIMENIUS AL. MOYA.

A Treatise of A. Guimenius, formerly Chief Professor of Theology. At Lyons, 1664. With approbation of Jerome Laschiana, of the Society of

of Jesus, Inspector of Books in the Kingdom of Sicily.

Prop. 1. p. 27.

“ Though an opinion be false, every one may, with safety of conscience, follow it in practice, on the authority of the teacher.” Tanner, dif. 5. qu. 8. &c.

Prop. 2. p. 34. n. 4.

“ Remember to examine the golden sum of that very learned father, E. Sa, on the word *Gabelle*, n. 6. where he observes, That learned men assert, that it is not a mortal sin to defraud the king of his rights, and not to make restitution. For my part, I would not venture to assert that absolutely, but neither would I oblige those, who have defrauded him, to make restitution. For in so great a doubt, in the opinion of the grave doctors, the condition of the possessor is the best.”

HONORATUS FABRI.

Apology for the Morality of the Doctrine of the Society of Jesus, by H. Fabri, of the same Society ; first printed at Lyons 1670, with approbation signed by several Theologians of the Society of Jesus, viz. Joseph Gibalin, Charles Dulieu, Laurence Granon, &c.

This author, according to Sotnel, taught Philosophy at Lyons for eight years ; from thence being sent to Rome to be the Pope's Penitentiary, he filled that place for twenty-eight years, and distinguished himself by his great learning and virtue.—See Sotnel, p. 350.

Dial.

Dial. 1. p. 2. col. 1.

“ A probable opinion is not opposed to a false one, as it may be false ; but to an improbable one. If then, in the doctrine of manners one ought reasonably to admit a probable opinion, why may not also a false one be admitted, which may be really probable and he may be ignorant of its falsity.”

Col. 2.

“ It ought to be established as a certain rule, that the custom of the present time is to determine the probability of opinions, and that in every kind of probable doctrine ;—the custom, I said, of the present time, which wise men do not disapprove of, and which the church does not reject, but freely allows the faithful to follow : for we must pay no regard to the custom of former times, if that of the present time be not agreeable to it, or tend to support it.”

Ib: p. 3. col. 1.

“ Now, a rational, tho’ not certain motive or foundation is that which, tho’ it does not force the understanding, or consent, even by the strength of the object, excites us however to a prudent acquiescence : this acquiescence or prudent consent is that which wise men may judge to have been prudently given.”

Ib. p. 6. col. 2.

“ A person acts prudently according to a moral opinion, as oft as he is certain that it is probable.
In

In my opinion, this is what no body will deny : for if it is evident that it is probable, at the same time it is evident that it is safe, that is, that the use of it is safe, and the practice lawful.”

Ib. p. 16. col. 2.

“ I may judge that even a less probable opinion is sufficient to lay the foundation of a right and prudent judgement of conscience.”—

“ We are neither bound to that which is better and more perfect, nor to that which is more probable.”

“ That opinion by which we are allowed to follow a less probable one, is itself more probable. Thus in following the less probable opinion *in actu exercito*, that is, in practice, we really follow the more probable *in actu signato*, as Divines term it, that is, according to that which is marked by the doctrine of probability.”

GEORGE DE RHODES.

A Treatise of scholastic Theology, by George de Rhodes of the Society of Jesus, vol. I. At Lyons, 1671, with permission of Laurence Gannon, Provincial of the Society of Jesus in Lyons ; and with the approbation of three Divines of the same Society, viz. John Alby, Francis de S. Rigand, Gabriel-Laurence Roy.

See Sotnel, p. 293. It is there said, that this Author was rector of the College of Lyons.

Vol. I. Disp. 2. qu. 2. sect. 3, §. 1. p. 326.
col. 1.

“ It is certain that nobody is bound always to follow the safest opinion, because it is often less probable.”

Ib. col. 2.

“ In the second place I say, that it is abundantly sufficient to render an opinion probable, that it be held by a Doctor of great character, and piety, especially, if he be a modern, provided however that none of the requisites of a probable opinion be wanting; such as that the Author himself have some good reason for it; that he have no convincing reason to the contrary; that all the Doctors do not unanimously agree to reject it as false and antiquated; that it be not repugnant to the opinions commonly received, especially the sentiment of the Church. Thus we must necessarily understand all the doctors of the society, as Sanchez, Azor, Vasquez, Valence, Castro, Sa, and others, who maintain, that one doctor is sufficient for establishing the probability of an opinion. Therefore, that an opinion be probable to me, it is sufficient that I have a reason for it which appears good to myself, or the authority of a good doctor, which is equivalent to reason, provided he have some reason for it himself.

C H A P. X.

ON UNCLEANNESSE, MARRIAGE, &c.

THE extreme obscenity of the questions proposed by these worthy doctors of the Romish church, and the libidinous language they uniformly

formly use to express their filthy ideas, have obliged us to leave some of the following paragraphs in the original language, that at least chaste ears may escape the pollution of those ministers of Satan, who being sold under sin, and having their very minds and consciences defiled, scruple not to foam out their own shame.

Nor will this be wondered at when we read a few of the lessons taught them by their masters, such as the following :

“ Marriage in them who have vowed celibacy is the worst sort of incontinency.” Rhem. Not. in Cor. 7. 9.

“ An incestuous person is admitted to be a Bishop ; a murderer, a robber, a Sodomite, a sacrilegious wretch, a parasite is admitted : he alone is excluded that has been twice married, though he alone be blameless.” Eras. Not. in 1 Tim.

“ The marriage of Priests is sacrilege, and not marriage.” Beller. de Cler. l. 19.

“ For Priests to marry is a much greater sin, than if they kept several whores in their houses.” Campegius ap. Sleidan Comment. l. 4.

“ For a Priest to turn whore master, or keep a concubine in his house, is a great sin ; yet he is guilty of a greater if he marry.” Coster. Enchir. c. 7. Prop. 9.

“ For her to marry who is under a solemn vow, whatever our adversaries gainsay, is worse than to burn.” Bellarm. de Monach. II. 36. p. 1213.

“ And she that marries after a simple vow, does in a manner sin more than she that commits fornication ; because she that marries makes herself incapable of keeping her vow, which she does
not

not who plays the whore." Bellarm. de Monach. II. 36. p. 1214.

"This doctrine to Melancthor seems foul, but to Catholics very virtuous." Hostus. Conf. 56.

A GOAD TO LICENTIOUSNESS.

"Our laws and canons encourage debauchery; for, denying honourable marriage to the priests, they compel them to whore shamefully; and our legislators had rather the priests should keep concubines than have wives; probably because they have a larger income from the former. I have read of a certain Bishop, who bragged at a feast, that he had 11,000 Priests that kept their concubines, who paid him so much a year." Agripp. de Van. Scien. c. 59.

"What wouldst thou have done, most watchful Gregory, if thou hadst been born in our times. 'Tis the character of a Priest to drink, to whore, to commit incest, to ravish virgins, and lie with other men's wives; so that the leachery of Priests is become a proverb." Aventin. Annal. l. 5.

"The bishops and archdeacons are so prone to lust, that they cannot abstain from adultery or incest; and, burning in lust towards one another, men with men work that which is unseemly." Hulder. rescrip. Nicol. Papæ. ap Castal. test. ver. l. 9. p. 63.

"A monk does not incur excommunication for every leaving of his habit, which is without reason, or deadly, because he incurs it not by laying aside his habit, that he may the more readily, (Navarr. Manual. c. 17. n. 131.) freely, and voluptuously indulge himself in fornication." Bonacin. de excom. tom. 3. d. 2. g. 8. p. 6. n. 3.

"He that has one concubine lives chafily." Emper. authent. de trient. et femiff. col. lat. n. 3. c. 5.

"He that has more concubines is not guilty of irregularity." Can. law. extrav. de bigam.

"In fuch a cafe Sylvefter enjoins ten years penance." Harding. contra Juel.

Emanuel Sa 1590 Aphor. verbo Luxuria, P. 249. verbo debitum conjugale, p. 80.

"Every woman or man may accept and demand a price for the unclean ufe of their body, and he that promifes is bound to pay."

"Copulation before marriage is either no fin, or a fmall one, (although fome think it mortal) yea it is expedient, if marriage be long delayed."

CORNELIUS a LAPIDE.

Commentaries on the prophet Daniel, by the R. F. Cornel. a Lapide, of the Society of Jefus, Profeflor of the fcriptures in the Roman College at Paris 1622, with permission of M. Vitellefchi, General of the Society of Jefus, after being revifed by three theologians of the fame Society; and another permission of Antony Sucquet, Provincial in Flanders. See Alegambe, p. 84. Sotnel, p. 157.

"On thofe words of Sufanna, ch. 13 ver. 22. If I do this thing, it is death unto me. In this ftrait, fhe might have faid, I confent not to the aft, but I will fubmit and hold my tongue, left you bring me to infamy and death, although perhaps Sufanna did not think of it or know it; for fo honeft and chafte virgins think themfelves guilty if they

they do not cry out, and struggle, and resist with all their might. Susanna had sinned, if she had consented or co-operated, i. e. had lain with the Elders, which was the thing they desired of her, ver. 20; yet she might, when in such great danger of infamy and death, have refused them, yet submitted to their lust, provided her mind had not consented, but had detested and abhorred it; because reputation and life are a greater good than chastity: hence it follows, that it is lawful to expose the latter for the sake of the former, and that she was not obliged to cry out."

FERDINAND DE CASTRO PALAO.

Opus moral, part 1. de char. tr. 6. p. 670.

"If you assist in things that are indifferent, which are considered as remote from the evil action, you are excused, whether you are a servant or a son. Indifferent things, which I call sufficiently remote, are such as these: providing meat, waiting at table, making the bed of the concubine, adorning her, getting ready the horse she is about to ride, opening the door, conveying little presents, messages, compliments, and such like. And so teaches Azor. 2 Tom. Instit. moral. Lib. 12. cap. ult. qu. 8. Sa verbo peccatum, n. 9. &c.

"If you assist in indifferent things, which yet approach nearer to this sin, I require a more weighty excuse in order to render your service honest. For instance, if your father should frown, and you fear you shall be used ill, or if your master should turn you out of his house, and you should be obliged to beg or suffer want, and not easily

easily find another master, who may not require like or worse services; or if he should suffer you to continue in his house, and this be attended with chiding, scolding, or with defrauding you of your wages when due: For if any of these evils come upon you, in consequence of your assisting in those actions, which are in themselves indifferent, and only subservient to an evil purpose through the wickedness of your master, you may assist therein, because then you are to be considered, not as co-operating, but rather as permitting his sin. Whence it appears, it is lawful for you, when thus pressed, to carry the concubine, inform your master where she is; or say to her, My master says, you may expect to see him to-night. Also if your master would climb up through a window in order to have to do with a woman, you may support his foot, or fix a ladder, because these actions are in themselves indifferent."

G A S P A R H U R T A D O.

Vol. 1. concerning the sacraments and censures by G. Hurtado, of the Society of Jesus, D. D. at Antwerp, 1633, with permission of Francis Agrado, Provincial of the Society of Jesus in Toledo, in virtue of power given him by M. Vitelleschi, General of the Order, in consequence of the approbation of grave and learned men of the Society. Sotnel, p. 277. disp. 10. diff. 3. n. 8. p. 496.

"In the first place, it is a difficulty whether the conjugal act before marriage be unlawful. Sancius Navarrus teach, that it is not unlawful; and deservedly; because, although the Council of Trent, Sess. 24. of matrimony, persuades and exhort

horts not to do it, yet it is no where prohibited."

JAMES GORDON.

Vol. 1. of Universal Moral Theology, by J. Gordon, of the Society of Jesus at Paris, 1634, with permission of Barth. Jacquinet, Provincial of the Society of Jesus, in the province of France, in virtue of power granted to him by M. Vitelleschi, General of the Order, after the approbation of several theologians of the Society.

Lib. 5. qu. 5. cap. 6. n. 3. p. 870.

"It is easy to determine whether a whore may lawfully retain the price of her prostitution. She may indeed retain a moderate price; and truly reason shews, that the same is to be said as to restitution with respect to a secret harlot, and one that is married and yet a virgin. But this is particularly to be observed respecting one that is married, that the price which she accepts is to be reckoned as a part of her fortune, to which the husband is intitled, as I said, qu. 3. n. 10."

JOHN de DICASTILLO, 1641.

On Justice and Right, and the other Cardinal Virtues.

Lib. 1. Disp. 3. dub. 17. n. 276. p. 87.

"You ask, seventhly, whether a girl who is forced is obliged to cry out, and implore help in order to prevent her being violated? N. 277."

Cajetan 2. 2 qu. 154. art. 4. thinks she is obliged, notwithstanding the infamy which may follow; but Sotus and Navarrus, as above, teach the contrary. And the same thing is observed by
Sa;

Sa; I think the same as Cajetan, if the disgrace be not very great, and she can secure herself by crying out. But if great disgrace, death, or excessive shamefacedness follow, she does not seem obliged to submit to such great inconvenience in order to prevent another's sin. So Reginaldus, Navarrus, and Sa above, who teaches and defines, when resistance is to be made, viz. when life and reputation are out of danger, n. 279.

The second reason does not prove that there is consent, but only permission, *dum corpori vis absoluta infertur*, which cannot be avoided but with the danger of death and infamy; for I suppose that the woman does not at all consent, nor any way co-operate towards the unclean congress, but is merely passive."

A N T O N I U S E S C O B A R.

Theologia Moralis.

Vol. 1. lib. 4. sect. 2. probl. 28. p. 142. n. 238.

Concerning fornication, slaughter, &c. I have enquired whether such like actions, happening in a fit of drunkenness, are sins? They are not sins, but effects of sin preceding, n. 240.

"If, after the wine is drunk whereby you will be intoxicated, you repent of the cause before those external actions follow, then those are free from blame, and consequently are not to be called formally and in themselves sins, the cause of them being done away by repentance, and therefore they are afterwards involuntary. These things I have learned from Beccanus, 1, 2, tr. &c."

"A clergyman or priest having to do with a woman in a way contrary to nature, does not incur
the

the penalties of the Bull of Pope Pius the 5th."

"A priest submitting to an act of Sodomy, does not fall under the penalties of the bull. N. 225."

"And a priest committing the crime of Sodomy once, twice, or thrice, does not incur the penalties of the Bull aforesaid, for in that Bull the Pope inflicts penalties on the clergy who exercise Sodomy; but those are properly intended who do it frequently. So Azor, n. 228."

"A priest committing the sin of bestiality does not incur the penalties of the Bull of Pius the 5th."

"In order to incur the penalties of the canon law, and of the Council of Trent, against the ravishers of women, it is necessary that the rape be committed for the sake of matrimony, and not of lust. The penalties of the Council are to be understood, as referring only to a rape committed for the sake of entering into matrimony, and not for the sake of lust; because this penal decree of the Council is inserted in the Rubric, under the title, *De Reformatione Matrimonii*. Prob. 51. p. 331. n. 258."

"One man forcing another for the sake of lust, is not liable to the ordinary penalty of the law. The ravisher of a man is not liable to the capital punishment of the law."

S I M O N D E L E S S A U.

Propositions dictated in the Jesuitical College of Amiens, by Simon de Lessau, Professor of Cases of Conscience, in 1655, and 1656, according to the extract annexed to the request and memorial

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presented

presented the 5th and 27th of 1658, to the Bishop of Amiens, by the Curates of his diocese.

“ Women do not sin mortally, who expose themselves to the view of young men, who, they believe, may lust after them, if they do this thro’ any necessity or utility, lest they should deprive themselves of their liberty of going out of their house, or standing at their door, or at the window of their house.”

THOMAS TAMBURINUS, 1659, &c.

Theologia moralis Explic. decal. lib. 7. cap. 5.
n. 23. edit. 1659. p. 80.

“ How much may a woman justly require for the use of her body? As to the fixing of this price, the common answer is, that it is to be determined according to the nobility of the person, her beauty, age, honesty, and the like; for an honest woman, or one that no man has known, deserves more than one that is common to any one. Some distinguish thus: Either reference is had to a whore or an honest woman; a whore cannot justly demand or accept, but according to what she is used to get of others; for this is a kind of buying and selling between her and her lover; the one gives, the other receives a price for the use of her body. Since, therefore, the condition of buying and selling justly requires that the price be that according to which a thing is usually sold, so it will hold good in this case. Wherefore, if a whore deceitfully, pretending that she is an honest woman, when, nevertheless, she is not commonly reputed to be so, or pretending she receives a great deal from other men, takes much more, she will be
under

under an obligation to restore the overplus, unless she concludes from circumstances, that it is the liberal donation of her lover, which I presume is the case, when he hands forth to her such or such a reward of his own accord, and without its being exacted by her. But an honest woman may ask and receive as much as she pleaseth; the reason is this, because in these or such like things, where there is no fixed or common price, a thing may be sold for so much as the buyer estimates it at; therefore an honest girl may estimate her virtue at a great price."

J A M E S T I R I N U S.

A Commentary on the H. Scriptures, by J. Tirinus of Antwerp, of the Society of Jesus at Antwerp, 1668, with permission of Andrew Judocus, of the Society of Jesus, in virtue of power given by M. Vitelleschi, General of the Order. Alegambe, p. 214. Sotnel, p. 390. comment. in script. tom. 1. in Dan. p. 78. c. 13. ver. 22.

"But Susanna had avoided all difficulties, if, when driven by the force and fear of infamy and death, she had permitted the adulterers to have satisfied their lust, not by consenting and co-operating, but permitting, and at the same time denying them; for she was not obliged, in order to preserve her chastity, to defame herself by crying out, or plunge herself into the danger of death; for the purity of the body is a less good than reputation or life."

GEORGE GOBATUS, 1700.

Oper. mor. tom. 1. tr. 7. p. 558. col. 1. inf.
n. 530.

" Altho' Jo. Sanchez absolutely intimates, that he who has given to his concubine, by agreement, an hundred pieces of gold, which he is not to recover in case he dismisses her, is not bound to dismiss her, although he is in the greatest danger of relapsing into sin with her, if he does not dismiss her; yet nevertheless Palaus, in the place cited, loc. cit. n. 15. absolutely rejects that sentiment, when that cohabitation is attended with great temptation as long as it lasts. And Oviedus, in the place cited, n. 162, speaking of him who fears he shall often commit sin with his concubine, admits that doctrine, only with respect to the man that has but just enough to live in a sparing manner, and not him who is moderately rich. Ib. n. 532."

" If a man cannot dismiss his concubine without the loss of an hundred pieces of gold or ducats, his confessor shall, as occasion may require, embrace the sentiment before mentioned, either of Jo. Sanchez, or Oviedus."

N. CHARLI, 1722.

Propositions dictated in the College of Rhodes, by N. Charli, Jesuite, Professor of Theology, related in the ordinance of the Bishop of Rhodes, of the 19th October 1722, and censured by the same ordinance, &c. Prop. 12. p. 11. de la cens. episc.

" There are various precepts of the law of nature so obscure, as scarcely to be understood by
faithful

faithful and learned men. Such is the precept forbidding simple fornication, when prudent care is taken for the proper bringing up of the children arising therefrom. The same may be said of pollution when necessary for the preservation of health or life, and of many other like things, which the learned in general acknowledge to be forbidden by the law of nature. No wonder that infidels should remain all their life long ignorant of the evil of those actions, when the faithful altho' ingenious and learned, can scarce understand it."

JO. BAPTISTA TABERNA, 1736.

A Compend of Practical Theology. T. 1. part 1. tr. 11 cap. 3. §. 1. p. 12.

"A girl does not sin, if, on account of evident danger of death, or great disgrace she does not use all means to repel the ravisher, when she does not kill him if she can, or not alarm the neighbourhood, but only submits to copulation, without giving her consent. And although more than fifty authors hold this sentiment, yet it is not expedient to publish and defend it, because liable to abuse, especially among the ignorant."

THOMAS SANCHEZ, 1739.

Disputes on the holy Sacrament of Matrimony, by T. Sanchez, of the Society of Jesus, at Lyons, 1739, with permission of the Superiors. Tom. 3. lib. 9. disp. 27. p. 217. n. 4.

"Rogabis forsan, qualis culpa sit, si vir volens legitime uxori copulari, quo se excitat, vel majoris voluptatis captandæ gratia, inchoet copulam

iam cum ea Sodomiticam, non animo consummandi nisi intravas legitimum, nec cum periculo effusionis extra illud. Questionem hanc religit Navarr. et facile se ab ea expedivit, dicens tantum reperiri peccatum tactus cujusdam illiciti, nec teneri virum confiteri circumstantiam Sodomiae. Quare aperte solam venialem culpam in eo actu agnoscit; nullam que reddit rationem; et huic sententiæ favere videtur Oviedus. Ubi ait omnem coitum libidinosum excusari inter conjuges, modo non sit periculum extraordinariæ pollutionis. Atque probari potest. quia quicquid conjuges efficiunt, servato ordine legitimo, non excedit veniale crimen (ut diximus disp. præc. n. 4.) vas autem servari dicitur, quoties extra illud non effunditur semen, ut contingit in præsentī. Secundo quia tactus, hic instar tactuum membri virilis cum manibus, aut uxoris cruibus, reliquisq. partibus, potest ad copulam conjugalem referri, nimirum ut vir ea delectatione excitetur, aptiorq. ad eam efficiatur; et esto ad solam voluptatem referretur, esset culpa venialis, quales sunt cæteri tactus ita relati ad voluptatem.—”

T R A C H A L A.

Lavacrum Conscientiæ, &c. cum permissu superiorum. Bambergæ, 1759.

Sebaldus concubinaris confitetur se sæpius labi cum consanguinea quam domi alit.

Quest. An sit absolvendus antequam concubinam dimittat?

2do. Quæ proxima occasio censeatur esse peccandi?

P. 96. 97.

Resp. Ad primum membrum. Si in hunc finem alit consanguineam, non est absolvendus, nisi promittat se illam dimissurum.

P. 98.

Sed quid, si illa concubina sit valde bona et utilis œconomia?

Resp. Nec tunc quidem potest absolvi.

Sed quid si nullam aliam possit habere?

Resp. Tali casu esset absolvendus, quamdiu illa impotentia aliam acquirendi durat.

P. 99.

Resp. 6to. Si ipsa sit effrons, ut dismissa pro palatura sit occultum concubinatum, retinere volenti patrocina buntur plerique autores: sed muniendut erit specialibus remediis et propositis: sicut et patrocinantur, si ejus sit ancilla, ut nequeat aliam adipisci sine pari periculo; cum tamen non possit carere ullo modo omni ancilla.

Resp. “ Jam ad secundum membrum. Occasio proxima est illa, quæ moralem certitudinem lapsus facit in prudenti hominum æstimatione, sive sunt illæ circumstantiæ loci, temporis et personarum, &c. in quibus si sit constitutus, certum est moraliter, te peccaturum novo peccato mortali. Ita Lugo. Dicastill. Nav. cum aliis quos citat. Gobat. n. 525. Unde non est censendus in occasione proxima, qui decies tentatus solum acquievit bis aut ter.”

C H A P. XI,
ON PREVARICATION OF JUDGES.

H O N O R A T U S F A B R I.

Apology for the Moral Doctrine of the Society of Jesuites, by Father H. Fabri, of the same Society, at Lyons, 1670.

"Meanwhile, a judge is bound to restore what he received for giving a just sentence, because he who gave him the money for that purpose, is supposed to have been forced to give it against his will, since he had an incontestible right to a just sentence. But it is otherwise with him who has obtained an unjust sentence, to which he had no right. In this case the judge is not bound to restore to him, at least without an order obliging him."

J O H N - B A P T I S T A T A B E R N A, 1736:

An Essay on Practical Theology, part 2. tr. 2. ch. 31. p. 286.

"You will ask, in the 5th place, if a judge is bound to restore what he has received for giving justice? I answer, that he is bound to restore; because natural right dictates, that we cannot sell to a person that which justice gives him a right to. But if he has received money to give an unjust sentence, it is probable he may keep that, according to the opinion which fifty-eight doctors hold and defend. Ib. p. 287."

"You will ask, in the sixth place, if a judge may accept presents? I answer, he may, according
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ing to the law of nature, provided there be no scandal, or danger of bribery; but as it is seldom otherwise, the holy scriptures, in a variety of places, reasonably blame judges for accepting presents."

P A U L L A Y M A N N.

Moral Theology, at Paris, 1627. B. 3. sect. 5. tr. 4. p. 146.

" — However, according to natural right, judges acquire a property in what they have received, though they should do nothing in favour of the party who gave it, but, according to the merits of the cause, should even judge against that party. But supposing it to be true, that the giver intended by his presents to gain the goodwill of the judge, so as to make him pass sentence in his favours yet this motive was only the cause which induced him to give these presents, without necessarily including the condition without which he would not have done it. Moreover, though the positive law forbids the accepting of presents, yet it does not appear that the judge who receives them before he pass sentence, is bound to restore them, unless the law expressly affirms, that his accepting them is both illegal and invalid."

F R A N C I S - X A V I E R F E G E L I.

Practical Questions on the duty of a Confessor, 1750. Part 3. c. 12. qu. 8. n. 179. p. 244, 245.

" But what decision must be given, if a person give or receive presents as the price of something that is unlawful, though not unjust, or

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which is due under another title than that of justice?

"I answer with regard to the first, that they sin in engaging to give or receive such presents, as will appear from part 4. n. 84; but having received these presents, they do not thereby come under obligation to restore the price, provided they have received it for something of value, except in certain cases. The reason of this is, that in virtue of the contract made betwixt the receiver and the giver, the latter acquires a true and strict right to the success of his cause, though in justice it is not his due; and the former engages to perform what is very hard to be done, on account of the punishments, viz. which a judge ought to suffer, when he accepts of any present to make him give an unjust sentence." *Ib. qu. 10. n. 182. p. 247.*"

"Would senators be obliged to make restitution for having voted unjustly, when there would have been a sufficient number of votes without theirs, for promoting the same unjust end?

I answer, they would be bound to make restitution, if they voted in this manner among the first, but not if they voted last. The reason is, that in the first case, they might be thought to have great influence by their votes in effecting the injury, which they would not be supposed to do in the last case."

H. BUSEMBAUM ET LA CROIX.

Moral Theology of H. Busembaum, of the Society of Jesus, 1757.

"Is a judge bound to give back the reward he received for giving sentence? Vol. 1. b. 4. qu. 268. p. 710.

Anf.

“ Ans. If he received it for a just sentence, he is bound to restore it, because that justice was due to the party, independant of what he received; so that he received nothing for his money but what was formerly his due. But if the judge received it for an unjust sentence, he is not, according to natural right, bound to restore it. This is the doctrine of Bann. Sanchez, Sot. Nav. Valen. Molin. Tol. Less. Lugo, and a great many others, with Moya, and the apologist Taberna; the reason of it is, that the judge was not bound to give this unjust sentence. It turns out to the advantage of one of the parties, but it exposes the judge to very great danger, especially the loss of his reputation, if he be convicted of injustice. However, to expose one's self to such a danger in the service of another, is a thing that may be estimated in money.”

F I N I S.

And if he received it for a just sentence, he is bound to return it, because that which was due to the party, and payment of what he received, is that he received nothing for his money, but that was loaned to him. And if the judge is bound to return it, and if it is not, according to the natural right, bound to return it. This is the opinion of Baron, Sanchez, Sol, Nav, Val, Juan, Tola, I. de J. and a great many others, with Meloy, and the apostolic Tribunal, the reason of which is, that the judge was not bound to give this unjust sentence. He turns out to the advantage of one of the parties, but it exposes the judge to great danger, especially the loss of reputation, if he be convicted of injustice. However, to expose one's self to such a danger, for the sake of another, is a thing that may be

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